

Blackpool Council

16 February 2024

To: Councillors Baker, P Brookes, Farrell, Flanagan, Jackson, Roe and Sloman

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 27 February 2024 at 6.00 pm
in 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 12 DECEMBER 2023 (Pages 1 - 6)

To agree the minutes of the last meeting held on 12 December 2023 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 7 - 10)

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

4 PLANNING ENFORCEMENT UPDATE REPORT - NOVEMBER 2023 (Pages 11 - 14)

To consider the summary of Planning Enforcement activity within Blackpool, between 1 November 2023 and 30 November 2023.

5 PLANNING ENFORCEMENT UPDATE REPORT - DECEMBER 2023 (Pages 15 - 18)

To consider the summary of Planning Enforcement activity within Blackpool, between 1 December 2023 and 31 December 2023.

6 PLANNING ENFORCEMENT UPDATE REPORT - JANUARY 2024 (Pages 19 - 22)

To consider the summary of Planning Enforcement activity within Blackpool, between 1 January 2024 and 31 January 2024.

7 PLANNING APPLICATION AND APPEALS PERFORMANCE (Pages 23 - 24)

The Committee to consider an update on the Council's performance in relation to Government targets. The report reflects performance in the third quarter of the 2023/24 financial year.

8 UPDATED CONSERVATION AREA GUIDANCE (Pages 25 - 62)

To seek approval for publication on the Council website of the revised Conservation Area Guidance and Conservation Area Guidance for Shop Fronts and Signage.

9 SITE / UNIT 15, SQUIRES GATE INDUSTRIAL ESTATE, BLACKPOOL, FY4 3RN - REVOCATION OF HAZARDOUS SUBSTANCE CONSENT (Pages 63 - 70)

To obtain approval from the Planning Committee for the making of an Order under S14(2) of the Planning (Hazardous Substances) Act 1990 to revoke the Hazardous Substances Consent at a former gasholder site at Squires Gate Industrial Estate, Site 15

10 PLANNING APPLICATION 23/0777 - THE FORMER DEVONSHIRE ROAD HOSPITAL SITE (Pages 71 - 106)

To consider Planning Application 23/0777 for the erection of a 3-storey building for use as court-house with judicial chambers, administrative space, custody facilities, public waiting facilities, with associated landscaping, partial removal of existing wall to create new pedestrian access and new vehicular access onto Talbot Road, car parking for up to 95 vehicles and cycle parking at the former Devonshire Road Hospital site on the south-west corner of the junction of Talbot Road and Devonshire Road.

11 DATE OF NEXT MEETING

To note the date of the next meeting as 9 April 2024.

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.

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Public Document Pack Agenda Item 2

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 DECEMBER 2023

Present:

Councillor Roe (in the Chair)

Councillors

Baker	Farrell	Jackson
P Brookes	Flanagan	

In Attendance:

Lennox Beattie, Executive and Regulatory Support Manager
Ian Curtis, Legal Officer
Susan Parker, Head of Development Management

Apologies:

Apologies were received from Councillor Sloman who was elsewhere on official Council business.

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 14 NOVEMBER 2023

The Committee considered the minutes of the last meeting held on 14 November 2023.

Resolved:

That the minutes of the last meeting held on 14 November 2023 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Planning Committee considered a report on Planning/Enforcement Appeals lodged and determined since the last meeting on 14 November 2023.

The Committee noted the details of the six appeals lodged, two against the issuing of Enforcement Notices and four against refusal of Planning Permission since the last meeting.

The Committee also noted the details of the three planning appeals determined as outlined in the report, in all cases the appeals were dismissed.

Resolved:

The Committee noted the update.

4 PLANNING APPLICATION AND APPEALS PERFORMANCE

The Committee received a report to update it on the Council's performance in relation to Government targets for the second quarter of the 2023-24 financial year.

The Committee was reminded that the government set target remained for 60% of major applications to be determined within 13 weeks or an agreed extension and for 70% of non-major applications to be determined within 8 weeks or an agreed extension.

The Committee noted the Council's performance for the second quarter of financial year 2023/24 was 80% of major applications determined within 13 weeks or an agreed extension and 79.9% of non-major applications determined within 8 weeks or an agreed extension. The Committee noted that the performance had exceeded the target for major applications and for non-major applications. This performance therefore also represented an improvement on the performance at quarter 1.

Resolved:

To note the report.

5 APPLICATION NUMBER 22/0512 - MEXFORD HOUSE, MEXFORD AVENUE, BLACKPOOL

The Committee considered planning application 22/0512 for external alterations to include installation of new windows to various elevations, removal of existing entrance and demolition of existing out buildings and use as altered as 78 (amended from 87) self-contained flats with associated parking, cycle store and landscaping.

Ms Susan Parker, Head of Development Management, outlined the report and highlighted the amended plans which had been received since first submission reducing the proposed number of apartments from 87 to 78. Ms Parker outlined that following continued negotiations, further amended floorplans had been submitted as detailed in the update note which significantly improved the layout of 15 of the flats with it being noted that another 6 could not be changed due to internal constraints.

Ms Parker explained that as outlined in the officer report and Update Note, the units all would meet minimum national standards in terms of overall size and bedroom sizes. However, virtually all would all fall short of the minimum communal space standards set out in the Council's New Homes from Old Places standards. Ms Parker outlined to the Committee that while this situation was not ideal it would be difficult to resolve without further reducing unit numbers, which would further impact on viability. The building itself presented challenges as the internal layout would have to work within those parameters.

Ms Parker emphasised the site had been vacant for a considerable amount of time and it was not desirable in planning terms to return to use as office accommodation. She reminded members that the redevelopment of an existing building on a brownfield site would be an inherently sustainable option over new build on a greenfield site and this weighed in favour of the scheme in the planning balance.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 DECEMBER 2023

Ms Parker explained that on the one hand the issue of planning obligations would be relatively straightforward as the site would not be liable for any affordable housing provision or local education contributions. There were, however, requirements for health, public open space and the upgrade of two bus stops to encourage sustainable travel. The nature of the scheme made it difficult to define viability and there remained a disagreement between the parties. However, it had been suggested in this case that an overage mechanism be applied. An overage mechanism would essentially enable planning obligations to be paid in the event that the scheme made more money than is expected.

The applicant's agent, Ms Deborah Smith, spoke in support of the application. Ms Smith highlighted the sustainability of repurposing an existing building to meet a housing need. Ms Smith outlined some of the challenges that had come with the project and that previous scheme had not come forward due to those issues. Ms Smith outlined that the applicant would accept an overage mechanism as a way forward as it would overcome the disagreement between parties as to viability.

The Committee considered carefully the application. Members expressed positive support for the principle of repurposing office accommodation that was no longer required given the sustainability advantages. While some members expressed concerns regarding the size and layout of the accommodation overall it was agreed that this needed to be balanced with what could be practically achieved within the parameters of the existing buildings. The Committee accepted the principle of an overage agreement as a way forward give the difference of opinion on the scheme's viability and the unusual nature of the development.

The Committee considered that on balance it agreed with the recommendation that the concerns would outweighed by the contribution of the scheme towards meeting the Blackpool's housing needs and by the benefits of bringing this long-vacant and increasingly derelict site and building back into beneficial use. The proposed development constituted sustainable development and no material planning considerations have been identified that would outweigh this view

Resolved:

To support the proposal and delegate the application for approval by the Head of Development Management subject to the following:

- The conditions listed in the officer report and as amended by the Update Note albeit with flexibility for the Head of Development Management to amend these conditions as appropriate if the relevant information to meet the requirements of the condition is submitted prior to determination. If any conditions need to be added or deleted as a result of the submission of additional information, this would be after consultation with the Chair of Planning Committee
- To delegate to the Head of Development Manager to agree further improvements to the elevation treatments, internal layouts, positions of bin and bike stores and other equivalent details as appropriate.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 DECEMBER 2023

- The signing of a S106 agreement to provide an overage mechanism to secure necessary planning obligations insofar as this is possible in the future.

6 APPLICATION NUMBER 22/0479 - LAND AT HAWKING PLACE, BLACKPOOL

The Planning Committee considered application 22/0479 for the retention of an industrial building of three units, and erection of 2 industrial buildings to provide 5 units, all for use within Class E(g)(ii) and/or B8 with associated landscaping, parking, infrastructure and access from Hawking Place at land at Hawking Place.

Ms Susan Parker, Head of Development Management, introduced the application to the Committee. Ms Parker explained that the application related to a development for a range of potential industrial uses within an area designated with the Local Plan for employment development and so the proposal is acceptable in principle. Ms Parker highlighted the difficulties in identifying suitable sites for employment land within the development of the Local Plan which had resulted in the Council using 14 hectares within the area of Fylde Council to meet its allocation so it was imperative that the best use was made of suitable sustainable sites within Blackpool where there were no identified impacts on residential amenity.

Ms Parker submitted that while there was an objection received from a neighbouring business Royal Mail, these issues related to highways works related to works done to Hawking Place without planning or highway approval. The Council's highways department had worked closely with the applicant and this situation had now been resolved. Ms Parker then explained that the application had been referred to the Committee following consultation with the Chairman of the Committee due to concerns related to the failure of the scheme to meet Policy CS10 which required all schemes over 1,000 sq metres to achieve a very good rating on BREEAM requirements. Ms Parker advised that, given a range of alternative energy and water saving measures were proposed, it was considered acceptable. Ms Parker highlighted that the development had yet to have confirmed end user and was at a present a speculative one- therefore it would be particularly challenging to meet the BREEAM requirements therefore the alternative proposal was considered a suitable way forward.

The Committee considered the application and concluded that it would represent sustainable development and deliver much needed employment development in the north of Blackpool.

Members expressed some concerns that the objections submitted by the Head of Parks had not been addressed. Ms Parker explained her view that given they related to the suitability of the initial tree planting scheme could be addressed. The Committee therefore concluded that it should approve the application in principle subject to the identified issues being addressed.

Resolved:

To support the application and delegate approval to the Head of Development Management subject to it either being confirmed that the landscaping information submitted is agreed by the Head of Parks and Greens, or acceptable amended

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 DECEMBER 2023

landscaping information being submitted and the relevant conditions updated accordingly.

7 DATE OF NEXT MEETING

The Planning Committee noted the date of the next meeting as 30 January 2024.

Chairman

(The meeting ended at 6.45 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:	27 February 2024

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"
- "Communities: Creating stronger communities and increasing resilience"

6.0 Planning/Enforcement Appeals Lodged

- 6.1 20/8471 – 8 Gynn Avenue, Blackpool, FY1 2LD - The material change of use from a guesthouse to 5 self-contained permanent flats, without planning permission.

An appeal has been lodged by Mr Ian Roche against an Enforcement Notice served by Blackpool Council on 20 October 2023

- 6.2 18/8363 – Central Pier, Promenade, Blackpool, FY1 5BB-, The use of the land for the siting of an outdoor bar with seating area, decking, balustrading, containers, canopy and boundary treatment, without planning permission.

An appeal has been lodged by Mr Mark Marshall against an Enforcement Notice served by Blackpool Council on 28 November 2023.

- 6.3 22/8252 – 51 Bond Street, Blackpool, FY4 1BW - The use of the property as a self-contained holiday let, without planning permission.

An appeal has been lodged by Mr James Cheston against an Enforcement Notice served by Blackpool Council on 28 November 2023.

- 6.4 23/0165 – 22 Gynn Avenue, Blackpool, FY12LD -Use of premises as 1no. serviced holiday accommodation unit.

An appeal has been lodged by Property Letting against the Council's refusal of planning permission.

7.0 Planning/Enforcement Appeals Determined

- 7.1 23/0550 56 Maplewood Drive, Blackpool, FY5 1PW. - Erection of carport to side elevation with balcony above.

Appeal Dismissed

The Inspector agreed that the main issues are the effect of the proposed car port and balcony on the character and appearance of the area around Maplewood Drive.

There is an existing unauthorised car port and balcony surround which is readily visible when viewed from the south-west and, north-west along Maplewood Drive. The scale, design and materials used present an incongruous addition to the bungalow within the wider street scene at the northern end of Maplewood Drive, which is characterised primarily by traditional brick and/or render-faced bungalows, with pitched or hipped roofs. The Inspector acknowledged that the proposed replacement surround to the balcony, with a shallow-pitched, tiled 'roof' appearance, would be more in keeping and less prominent than the existing situation. However, the unsympathetic composite cladding to the pillars would remain and the obscure glazed element of the balcony surround would also still appear

prominent and somewhat alien in its surroundings, both in respect of the main bungalow and the neighbouring buildings. Moreover, the glazing would cut across the pitch of the main roof at both the front and rear, which would result in a complex and awkward visual juxtaposition.

The Inspector concluded that the proposed car port and balcony would be harmful to the character and appearance of the host property and the surrounding local area. It would not be appropriate in terms of scale, appearance, and materials, nor with regard to its relationship to the main bungalow.

7.2 23/0205 (Appeal A) and 23/0206 (Appeal B) Pavement outside 53 Topping Street. – Installation of telephone kiosk and ancillary advertisement display.

Both appeals dismissed

The Inspector agreed that the main issue for Appeal A was the character and appearance of the Town Centre Conservation Area and the highways impact on pedestrian movement. The main issue for Appeal B was the effect of the proposed advertisement on the character, appearance and amenity of the CA. The Inspector stated that street furniture is limited to low-level features such cycle racks, seats, planters, bollards and bins. By virtue of its height, design and prominence the kiosk would conflict with the context of these elements, and would be harmful to the character and appearance of the street. Moreover, it would, on the basis of its size and prominence, appear as an element of clutter, out of scale with the other low-level and low-key items of street furniture. In addition, the scale and design of the advertisement element on the southern side of the kiosk, would appear out of character with the traditional frontage of No 53 itself, in the context of which it would be most clearly seen.

The Inspector noted with regard to highways impact that by virtue of its limited footprint and siting in line with a number of other items of street furniture, the kiosk would not represent a significant obstruction to free pedestrian movement along the street, however the Inspector concluded that having balanced potential benefits of the proposal against its impact on the character, appearance and visual amenity of the area. In this case, I consider that, whilst the kiosk would have a neutral effect on highway safety, it would be harmful to the character and appearance of Topping Street and the wider Conservation Area, and any benefits would not outweigh the harm identified.

7.3 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 and the impact of this decision for our children and young people:

12.1 None.

13.0 Sustainability, climate change and environmental considerations:

13.1 None.

14.0 Internal/external consultation undertaken:

14.1 None.

15.0 Background papers:

15.1 None.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Carl Carrington, Head of Planning [Quality and Control]
Date of Meeting:	27 February 2024

PLANNING ENFORCEMENT UPDATE – NOVEMBER 2023

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of Planning Enforcement activity within Blackpool, between 1 November 2023 and 30 November 2023.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Acting Head of Public Protection and Enforcement 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 priority is

- "The economy: Maximising growth and opportunity across Blackpool"
- "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 November 2023.

As at 30 November there were 317 "live" complaints outstanding.

Resolved cases

8 cases were resolved by negotiation without recourse to formal action.

Closed cases

35 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 November 2023;
- No s215 Notices were authorised in November 2023;
- Six Enforcement Notices were issued in November 2023;
- Two s215 Notices were issued in November 2023.

Notice authorised

Ref	Address	Case	Dates
23/8136	64-66 Church Street (FY1 1HP)	Without planning permission, the creation of residential accommodation at first floor.	Enforcement Notice authorised 13/11/2023.

Notices issued

Ref	Address	Case	Dates
21/8238	6 Braithwaite Street (FY1 2HS)	Without planning permission, the creation of a balcony at first floor level with patio door access on rear elevation.	Enforcement Notice issued 09/11/2023 – compliance due by 18/01/2024.
22/8539	69 Ribble Road (FY1 4AA)	Without planning permission, the material change of use from a single private dwelling-house, to a self-contained holiday let.	Enforcement Notice issued 21/11/2023 – compliance due by 05/02/2024.
20/8183	149 Dickson Road (FY1 2EU)	Without planning permission, the material change of use of the land from part ground floor as workshop unit with	Enforcement Notice issued 23/11/2023 – compliance due by 29/03/2024.

		upper floor for storage purposes into a mixed use as a garage for vehicle repairs at ground floor and to a self-contained residential flat at first floor.	
22/8252	51 Bond Street (FY4 1BW)	Without planning permission, the use of the property as a self-contained holiday let.	Enforcement Notice issued 27/11/2023 – compliance due by 09/02/2024 unless an appeal lodged at PINS by 09/01/2024.
22/8253	53 Bond Street (FY4 1BW)	Without planning permission, the use of the property as a self-contained holiday let.	Enforcement Notice issued 27/11/2023 – compliance due by 09/02/2024 unless an appeal lodged at PINS by 09/01/2024.
18/8363	Central Pier, Promenade (FY1 5BB)	Without planning permission, the use of the land for the siting of an outdoor bar with seating area, decking, balustrading, containers, canopy and boundary treatment.	Enforcement Notice issued 27/11/2023 – compliance due by 08/02/2024 unless an appeal lodged at PINS by 08/01/2024.
22/8376	65 Saville Road (FY1 6JS)	Poor condition of property	s215 notice issued 09/11/2023 – compliance due by 19/03/2024.
23/8062	339 Central Drive (FY1 5JN)	Poor condition of property	s215 notice issued 14/11/2023 – compliance due by 22/03/2024.

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 and the impact of this decision for our children and young people:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Carl Carrington, Head of Planning [Quality and Control]
Date of Meeting:	27 February 2024

PLANNING ENFORCEMENT UPDATE – DECEMBER 2023

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of Planning Enforcement activity within Blackpool, between 1 December 2023 and 31 December 2023.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Acting Head of Public Protection & Enforcement 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 priority is

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

6.0 Background information

6.1 Cases

New Cases

In total, 18 new cases were registered for investigation in December 2023.

As at 31 December 2023 there were 302 “live” complaints outstanding.

Resolved cases

7 cases were resolved by negotiation without recourse to formal action.

Closed cases

24 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 December 2023;
- One s215 Notice was authorised in December 2023;
- One Enforcement Notice was issued in December 2023;
- One s215 Notice was issued in December 2023.

Notice authorised

Ref	Address	Case	Dates
23/8479	4 QUEEN STREET (FY1 1PD)	Without planning permission, the material change of use of the basement from part of a restaurant to a self-contained permanent flat.	EN authorised 12/12/2023.
21/8293	22 REPTON AVENUE (FY1 2RZ)	Poor condition of property.	S215 notice authorised 13/12/2023.

Notices issued

Ref	Address	Case	Dates
23/8005	20 LONGTON ROAD (FY1 4HW)	Without planning permission, the removal of all stained and leaded wooden window frames and wooden door and door frame with the installation of modern upvc windows to the front elevation, door and door frame within a Conservation Area.	EN issued 14/12/2024 – compliance due by 22/04/2024 unless an appeal lodged at PINS by 22/01/2024.

22/8468	32 HEATHWAY AVENUE (FY3 8HE)	Poor condition of property	S215 issued 14/12/2024 – compliance due by 22/04/2024 unless an appeal lodged at Magistrate’s Court by 22/01/2024.
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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 and the impact of this decision for our children and young people:

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:	Carl Carrington, Head of Planning [Quality and Control]
Date of Meeting:	27 February 2024

PLANNING ENFORCEMENT UPDATE – JANUARY 2024

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of Planning Enforcement activity within Blackpool, between 1 January 2024 and 31 January 2024.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Acting Head of Public Protection and Enforcement 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 priority is

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

6.0 Background information

6.1 Cases

New Cases

In total, 36 new cases were registered for investigation in January 2024.

As at 31 January 2024 there were 279 "live" complaints outstanding.

Resolved cases

16 cases were resolved by negotiation without recourse to formal action.

Closed cases

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 January 2024;
- No s215 Notices were authorised in January 2024;
- No Enforcement Notices were issued in January 2024;
- No s215 Notices were issued in January 2024.

Notice authorised

Ref	Address	Case	Dates
23/8011	30 Deansgate (FY1 1BN)	Without planning permission, the installation of an externally mounted roller shutter, housing box and associated guides mounted to the Deansgate elevation.	Enforcement Notice authorised 09/01/2024.

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 and the impact of this decision for our children and young people:

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:	Susan Parker, Head of Development Management
Date of Meeting:	27 February 2024

PLANNING APPLICATIONS AND APPEALS PERFORMANCE

1.0 Purpose of the report:

1.1 To update the Committee of the Council's performance in relation to Government targets. This report reflects performance in the third quarter of the 2023/2024 financial year.

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 performance.

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 This report is relevant to both Council priorities:

- The economy: Maximising growth and opportunity across Blackpool
- Communities: Creating stronger communities and increasing resilience

6.0 Background Information

6.1 The Government sets targets for the speed of planning decisions.

- Major applications – 60% to be determined within 13 weeks or an agreed Extension of Time
- Non-major applications – 70% to be determined within 8 weeks or an agreed Extension of Time

6.2 The Council's performance must be reported to Government on a quarterly basis.

6.3 For the quarter of October – December 2023, the Council’s performance in terms of speed was as follows:

- Major applications – 100% determined within 13 weeks or an agreed Extension of Time
- Non-major applications – 87.4% determined within 8 weeks or an agreed Extension of Time

6.4 The Council has therefore exceeded the statutory targets in this quarter.

6.5 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 Poor performance puts the Council at risk of designation and the potential for loss of fee income.

9.0 Legal considerations:

9.1 Performance is influenced by staffing numbers, sickness and leave.

10.0 Risk management considerations:

10.1 Performance is influenced by staffing numbers, sickness and leave. Under-resourcing of the service could lead to inability to respond to peaks in workload

11.0 Equalities considerations and the impact of this decision for our children and young people:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/ External Consultation undertaken:

13.1 Not applicable.

14.0 Background Papers

14.1 None.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Carl Carrington, Head of Planning [Quality and Control]
Date of meeting:	27 February 2024

REVISED CONSERVATION AREA GUIDANCE

1.0 Purpose of the report

1.1 To seek approval for publication on the Council website of the revised Conservation Area Guidance and Conservation Area Guidance for Shop Fronts and Signage.

2.0 Recommendation(s)

2.1 To approve for publication on the Council website the revised Conservation Area Guidance and Conservation Area Guidance for Shop Fronts and Signage,

3.0 Reason for recommendation(s)

3.1 To assist in the good management of Blackpool's Conservation Areas and provide additional resources for applicants in making decisions about changes and developments to assets within Conservation Areas.

3.2 Is the recommendation contrary to a plan or strategy 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 General Conservation Area Guidance is already available on the Council website following Planning Committee approval in 2017. Since then it has become apparent that further information is required specifically to guide applicants seeking to install new shop fronts in Conservation Areas. The alternative 'do nothing' option will undermine efforts to improve the design of shop fronts in Conservation Areas.

5.0 Council priority

5.1 The relevant Council priority is:

- 'The economy: Maximising growth and opportunity across Blackpool'

6.0 Background and key information

- 6.1 General Conservation Area Guidance was approved and published on the Council website in 2017 following the designation of several new Conservation Areas.
- 6.2 A guidance note providing information on appropriate shop front design in Conservation Areas was made available on the website approximately 3 years ago to supplement SPG5: External Shutters and SPG6: Shop Fronts and Signs.
- 6.3 A number of applications for replacing shop fronts with bi-fold doors in the Town Centre Conservation Area has demonstrated that there is a need to update the general Conservation Area Guidance, and formalise the Shop Front Guidance in order to make clear information available to applicants about what may or may not be permitted in Conservation Areas. This should ensure that the character and appearance of the Conservation Areas is preserved as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.4 The documents have no policy status, but offer guidance both in principle and covers where certain materials or standards of construction/fitting are required.
- 6.5 Does the information submitted include any exempt information? No

7.0 List of appendices

- 7.1 Appendix 8a: Conservation Area Guidance
Appendix 8b: Conservation Area Guidance – Shop Fronts and Signs

8.0 Financial considerations

- 8.1 There are no financial considerations

9.0 Legal considerations

- 9.1 As the guidance holds no status as policy, and is in line with national guidance and that of comparable local authorities, there are no legal considerations.

10.0 Risk management considerations

- 10.1 There are no risk management considerations

11.0 Equalities considerations and the impact of this decision for our children and young people:

- 11.1 As the national legislation governing conservation areas is deemed to have met the legal tests around equality, there are no equalities considerations.

12.0 Sustainability, climate change and environmental considerations:

12.1 This guidance supports the Council's Net Zero objectives as it encourages the retention of original features and the use of traditional materials like timber thereby reducing the carbon footprint of development work in Conservation Areas and the harmful effects of large scale plastic manufacturing for features like windows, doors and signage.

13.0 Internal/external consultation undertaken:

13.1 Internal consultation with the planning team and external consultation with Blackpool Civic Trust took place for the existing guidance, and they expressed support for clearer guidance for conservation areas.

14.0 Background papers

14.1 None.

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CONSERVATION AREAS GUIDANCE ON REPAIRS AND ALTERATIONS

February 2024



CONSERVATION AREA GUIDANCE

Contents

Introduction	5
Conservation Area Appraisals	5
Restrictions on development	6
Works to buildings in Conservation Areas	7
Windows	7
Doors	10
Stone bay windows	11
Canopies and awnings	11
Balconies and balustrades	12
Roofs	13
Fascias, bargeboards and rainwater goods	14
Roof lifts	15
Roof lights and dormer windows	16
Decorative gables	17
Chimneys	18
Extensions	18
Boundary treatments	18
Brickwork and pointing	20
Aerials, satellite dishes, CCTV and alarm boxes	21

CONSERVATION AREA GUIDANCE

Microgeneration	21
Insulation	22
Demolition	22
New buildings	22
Re-using historic buildings	23
Materials	24
Trees and gardens	24
Shop fronts and signage	25
Bi-fold doors	26
Development will be refused where ...	26

CONSERVATION AREA GUIDANCE

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CONSERVATION AREA GUIDANCE

1. Introduction

- 1.1 A conservation area is an “area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”, as set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under this legislation, local authorities have a duty to designate such areas and to review them from time to time. They should also use their planning powers to safeguard and enhance the special qualities of these areas by ensuring development is managed to create positive change. Designation automatically entails control over the demolition of unlisted buildings, strengthens controls over minor development and gives special protection to trees within the area.
- 1.2 Once designated a conservation area needs everyone’s help to protect its character and keep it special. The Council will protect and enhance it as far as possible by controlling development, and encouraging the care of its own buildings, but it also needs the support of property owners, residents and local businesses if this is to be successfully achieved.

2. Conservation Area Appraisals

- 2.1 Conservation area appraisals are a commonly used technique to identify and assess the character of a conservation area. The more clearly that character or special interest is defined, the easier it is to manage change without damaging that interest. A clear and comprehensive appraisal of the character of a conservation area provides a sound basis for the control of development, and for developing initiatives to improve the area.
- 2.2 The Council has prepared a series of Conservation Area Appraisals, and these documents provide a detailed assessment of the special character of each conservation area. They were subject to a process of internal and public consultation before the conservation areas were formally designated by the Council. The Appraisals are used in the consideration of planning proposals within the conservation areas, and can be viewed on the Council’s Website <https://www.blackpool.gov.uk/Residents/Libraries-arts-and-heritage/Blackpool-heritage/Conservation-areas-and-listed-buildings/Conservation-areas-listed-buildings-and-trees-conservation.aspx> .
- 2.3 A series of Conservation Area Management Plans are being developed which support the Appraisals and set out a number of actions aimed at safeguarding or enhancing the special character of these areas. In addition, design guides for replacement windows and shop fronts will aid development and change within conservation areas.

CONSERVATION AREA GUIDANCE

- 2.4 When considering planning applications affecting conservation areas the Council will give special consideration to the desire to preserve or enhance the character of the area. Planning applications for development affecting conservation areas have to be advertised locally both on site and in a local newspaper, giving members of the public a period of 21 days in which to comment upon them.
3. **Restrictions on development**
- 3.1 In a conservation area, planning permission is required for work that would ordinarily constitute permitted development. This includes:
- exterior cladding or render on all elevations
 - side extensions, or the construction of any other building or structure to the side of the house
 - rear extensions to a house of more than one storey
 - enlargement of a house which would include alterations to the roof
 - the installation, alteration or replacement of a chimney, flue or soil and vent pipe visible from the highway
 - erection of an aerial or satellite dish on a house facing the highway
 - erection of solar panels on roofs or walls on a house facing the highway
 - limits on the size of domestic and industrial extensions
 - demolition of all, and in some cases part, of any building or structure
- 3.2 If the conservation area is subject to an article 4 direction development is more restricted, and you should contact the Built Heritage and Conservation Team for advice before undertaking any alterations at builtheritage@blackpool.gov.uk or telephone 01253 476332.
- 3.3 Changes to features which contribute to the character of the conservation area such as original windows may need planning permission. You should contact the Built Heritage and Conservation Team for advice before commencing any works to clarify whether or not planning permission is required. Works carried out without the relevant planning permission may be liable to enforcement action.
- 3.4 If planning permission is required you will need to include a heritage statement with your planning application which sets out the intended development, its impact on the character of the building and the conservation area, and the justification for the work. More detailed advice is available at <https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Documents/Heritage-Statement-Guidance.pdf>

CONSERVATION AREA GUIDANCE

4. Work to buildings in conservation areas

- 4.1 When considering changes to your property it is important to bear in mind the following principles:
- a) Maintenance - regular maintenance is needed to protect original features, but if more extensive work is found to be necessary, repair rather than replacement should be the first option and will often be better value. Generally repairs do not need planning permission unless they include alterations which significantly change the external appearance of a building. The essence of repair is that it is carried out on a 'like for like' basis, matching materials and details.
 - b) Materials and design - when considering extensions, alterations or repairs to your property its original materials and design should be respected.
 - c) Enhancement - take the opportunity to enhance the property when considering alterations, by restoring any missing features and improving poorly designed alterations of the past. Sometimes alterations will have been carried out in the past which have had a negative effect on a building, and owners are encouraged to reverse these when the opportunity arises.

5. Windows

- 5.1 Original windows make a major contribution to the character of a building and the wider conservation area. If your house or building has original timber or metal framed windows these should be repaired and retained wherever possible, unless it can be demonstrated that they are beyond economic repair, because they are vital for preserving the character of the conservation area. As a rough guide 3/5th of a window should be severely deteriorated before complete replacement will be supported.
- 5.2 Timber windows can be given a new lease of life by overhauling them and installing draught proofing. Secondary glazing is also acceptable if it is unobtrusive. There are several companies which specialize in overhauling timber sliding sashes in order to improve their efficiency including energy efficiency, and their advice should be sought in the first instance. Please see the Council's Window Design Guide for Conservation Areas for further information.
- 5.3 Original windows which are beyond economic repair should be replaced with windows which resemble the originals in design and materials, although slimline timber double glazing may be an acceptable alternative. You should seek the advice of the Conservation and Built Heritage Team before undertaking any changes to windows.

CONSERVATION AREA GUIDANCE



Guest house with original sliding sashes

- 5.4 If you are considering replacing existing upvc double glazing, perhaps because it has reached the end of its life, the Council's Window Design Guide for Conservation Areas has more detailed information about designs which are acceptable. For example, upvc double glazing with top hung opening windows may have been installed previously to replace timber sliding sashes, which is an inappropriate design. Modern double glazing also usually has a bulky frame to accommodate the two panes of glass and wide spacer bars, rather than the slim profile of original timber windows. Top hung opening windows which overlap the frame add to the width of the frames. Replacement frames should always be white.

CONSERVATION AREA GUIDANCE



Upvc window frame with 'stick on' glazing bars and top hung upper window

- 5.5 Mock Georgian multi-pane windows will not be permitted unless this was a prevalent original design in the conservation area, or there is evidence that this is the original design for the property in question. If this design is approved for upvc windows the glazing bars would need to be applied to the interior and exterior of the window, with duplex bars within the unit to recreate the effect of separate panes of glass. The spacer bars should be silver or white.

N.B upvc windows are not appropriate in listed buildings and will not be permitted

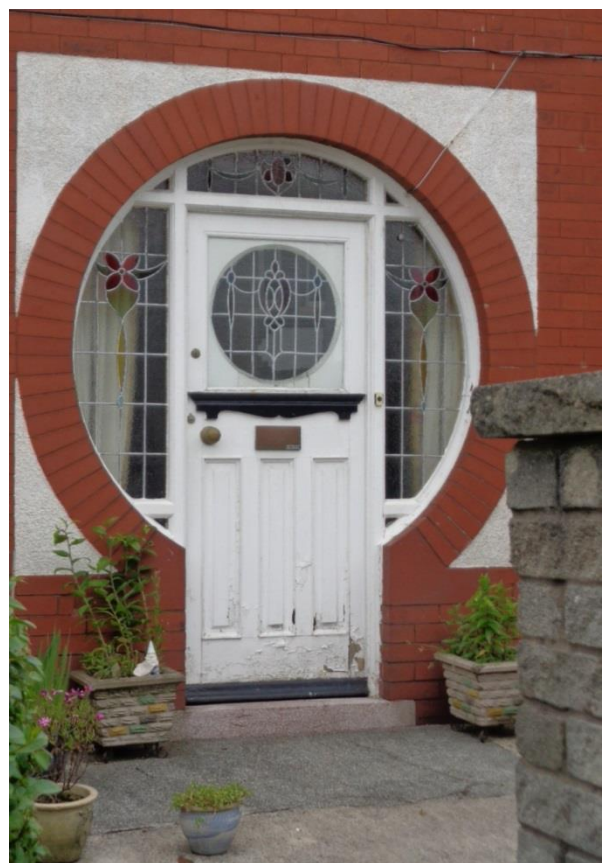
CONSERVATION AREA GUIDANCE

6. Doors

- 6.1 Original doors should be repaired and retained. If your door is beyond economic repair, or you wish to replace a modern door with one which is more appropriate, this should be carried out in timber to an appropriate design. Your neighbouring properties may have original doors which you can use as a guide, or examples of acceptable designs are given in the Conservation Area Management Plan for each Conservation Area. Please contact the Conservation and Built Heritage Team for advice if required.



Original late Victorian panelled front door



Original 1930s front door with leaded and stained glass

CONSERVATION AREA GUIDANCE

7. Stone bay windows

Stone bay windows should be repaired and retained. They should not be painted because this can damage the stonework through the action of rainwater penetration and frost damage. If they have been previously painted, flaking paint should be carefully removed and a mineral /silica paint used to cover and consolidate the surface.



Modern paint traps water which freezes in the stone causing it to crack and flake away

8. Canopies and awnings

Traditional retractable awnings are the appropriate design solution for shopfronts in conservation areas.

In the past curved canopies or fixed blinds have been installed above the windows and doors of some hotels and boarding houses. It is appreciated that these have been fitted to decorate the exterior of the buildings, but these are not a traditional feature and in future will not be permitted in conservation areas. Existing blinds should be removed when the opportunity arises and the brickwork or render should be repaired.

CONSERVATION AREA GUIDANCE



Modern fixed blinds on historic buildings

9. Balconies and balustrades

Original balconies and balustrades are important features and should be repaired and retained. Where they are missing they should be reinstated in appropriate materials whenever the opportunity arises.



Wrought iron balcony railings

CONSERVATION AREA GUIDANCE

10. Roofs

- 10.1 The roof is one of the most important parts of a building as it keeps it wind and water tight, and its appearance can also bring harmony to a townscape. The original roof material, such as natural grey or green slate or clay tiles, plus decorative ridge cresting, ridge and hip-tiles should be retained and repaired, or replaced on a like-for-like basis. Imitation slates and clay tiles are a poor substitute in quality and appearance and detract from the character of a historic building. Where individual homeowners replace roof coverings in different materials from their neighbours this undermines the uniformity of the roofscape and harms the character and appearance of the conservation area. Planning permission will usually be required for replacing the roof covering, and you should contact the Built Heritage and Conservation Team for advice.



Red clay tile roof covering to the left and modern roof tile to the right of this pair of semi-detached villas

CONSERVATION AREA GUIDANCE

11. Fascias, bargeboards and rainwater goods

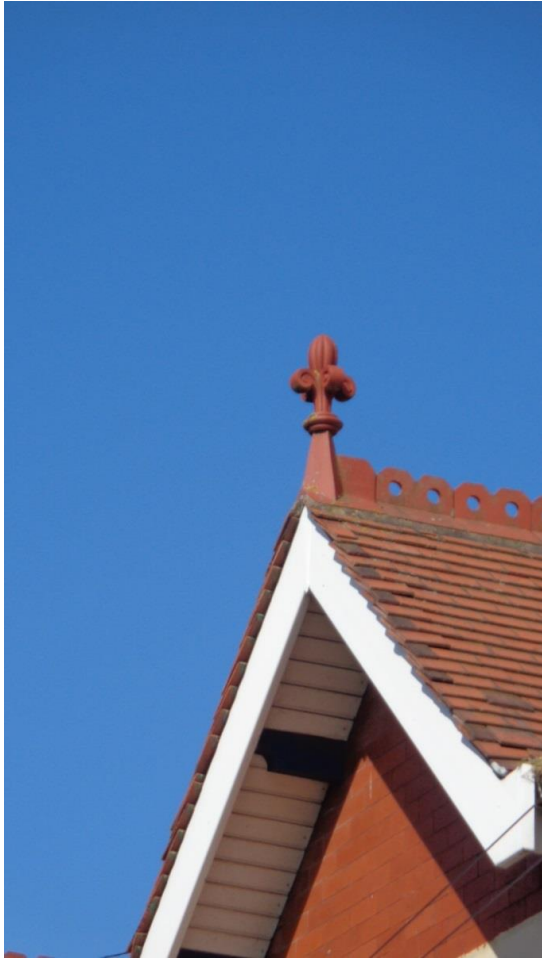
Decorative timber fascias and bargeboards, and features such as finials, can also contribute significantly to the character and appearance of the roof and should be retained and maintained where they exist. Where these features are missing or have been replaced with modern materials they should be replaced when the opportunity arises. This is particularly important in relation to terraced or semi-detached houses where individual approaches to these features can undermine the character and appearance of the whole block.

Rainwater gutters and downpipes would originally have been cast iron on historic houses and buildings. If you have original cast iron rainwater goods these should be repaired and retained, or replaced with cast aluminium. If you are replacing existing upvc rainwater goods you may replace them with black upvc as a minimum.



Decorative eaves brackets

CONSERVATION AREA GUIDANCE



Terracotta finial and ridge cresting

12. **Roof lifts**

Many existing and former hotels and boarding houses have had roof lifts installed in the past. These have had a particularly detrimental effect in conservation areas where historic rooflines have been disrupted. Where modern roof lifts exist outside designated holiday areas, owners are encouraged to remove them if the opportunity arises and reinstate the original roof covering together with any decorative detailing if this is apparent on neighbouring properties.

CONSERVATION AREA GUIDANCE



Differently designed roof lifts on a single terrace

13. Rooflights and dormer windows

Changes to the front roof slope require planning permission in conservation areas, and to all visible roof slopes in a conservation area with an article 4 direction. The conversion of loft space often requires the installation of dormer windows or rooflights, which can have a negative impact on the appearance of a building and detract from the wider street scene or roofscape. In some streets dormer windows may be acceptable, but they must be designed to sit sensitively within the roofscape and street scene: often this will mean a small, pitched roof dormer of a traditional design and materials. Rooflights should be in the 'conservation style' to sit flush with the roof slates or tiles, taking care that they are limited in size and number, and carefully located so as not to affect the character of the property, preferably restricted to the rear elevation wherever possible.

14. Decorative gables

Original decorative gables, for example with elaborate barge boards and painted render with applied timber, should be repaired and retained. Where gables have been altered in the past they should be reinstated to resemble the original design where this can be determined from neighbouring properties.

CONSERVATION AREA GUIDANCE



Original half-timbered gables to the right, upvc clad gables to the left

15. Chimneys

Chimneys often make a major contribution to the character of a conservation area and should be repaired and retained. Planning permission will be required for their removal, and will require strong justification.



Chimneys in Stanley Park Conservation Area

CONSERVATION AREA GUIDANCE



Chimneys in Raikes Hall Conservation Area

16. Extensions

New extensions should always be subservient in scale and height to the main building, and should be built in materials that respect and complement the host building and its surroundings. This may involve the use of matching traditional materials or contrasting modern materials. As a general rule, side extensions should be no more than single storey and set back from the front elevation. Garages attached to the host building will be treated as extensions, and should be built to a similar design and in matching materials.

Extensions to the rear of properties where there is a back street should be carefully designed to avoid piecemeal and disjointed rear street scenes. Rear extensions should generally not exceed two storeys in height, should sit below the existing eaves level where possible, and should seek to maintain or re-establish a continuous building line where this is visible from a main highway. New outbuildings which are visible from the highway will be expected to complement the design and materials of the host building.

17. Boundary treatments

Original boundary treatments, such as walls, railings and hedges, play an important part in the character and appearance of a conservation area and should be retained. Where they have been removed in the past they should be reinstated wherever possible and should be replicated in terms of material, proportions and design in order to enhance the character of the conservation area. Planning permission may be required for the total or partial removal of a boundary wall. Always contact the Built Heritage and Conservation Team for advice.

CONSERVATION AREA GUIDANCE

Railings and other boundary treatments for commercial premises are not an historic feature in Blackpool's conservation areas, other than on historic boarding house streets. Replacement may be appropriate for railings removed in the past, but new railings will not usually be supported.



Wrought iron railings on Adelaide Street



Modern decorative concrete block walling

CONSERVATION AREA GUIDANCE

Modern decorative boundary wall treatments such as concrete block walling are not appropriate in a conservation area and will not be permitted in future. Existing concrete block walling should be removed if the opportunity arises.

18. **Brickwork and pointing**

Repointing of masonry is sometimes necessary; on a traditional house or building this should generally be carried out in a lime mortar, rather than cement, in order to protect the bricks from frost damage.

Masonry which has traditionally not been rendered and/or painted should remain undecorated as painting masonry can be very damaging, and will undermine the character of the house or building and the wider conservation area. Where buildings have already been cladded, rendered and/or painted, advice should be sought from the Built Heritage and Conservation Team before repainting or other works are undertaken. Besides having a negative impact on character, rendering or painting historic masonry can cause damp issues internally.



Late Victorian building repointed with cement mortar which has led to frost damage

CONSERVATION AREA GUIDANCE

19. Aerials, satellite dishes, CCTV and alarm boxes

Aerials, satellite dishes, CCTV equipment and alarm boxes can have a detrimental impact on the appearance of a house or building. Where possible they should be situated inside or to the rear of the property or carefully located to minimise the impact on the character of the house or building. Care must be taken when installing such features to avoid cable runs on the surface of brickwork, which can detract from the appearance of a house or building. They should be removed completely when no longer required.



Insensitively positioned satellite dishes in Foxhall Conservation Area

20. Microgeneration

Planning permission is usually required for the installation of microgeneration equipment (such as solar panels, photovoltaic cells, solar thermal water heaters and domestic wind turbines) in conservation areas. In order to be acceptable, the visual impact of the equipment must be minimised and should not be located on main elevations. Before deciding whether to install a renewable energy technology in a building, all available energy-saving measures, including low-energy light bulbs, heating controls and improved insulation, should already have been taken, and this information will be required as part of a planning application.

CONSERVATION AREA GUIDANCE

Detailed guidance on this subject can be found on Historic England's website:
<https://www.historicengland.org.uk/advice/planning/infrastructure/renewable-energy/microgeneration/>

21. **Insulation**

Retrospective measures such as external wall insulation can have a very harmful impact on the external face of a building and are therefore not recommended for historic buildings. The drilling associated with cavity wall insulation can be extremely disfiguring to brick and stone masonry and is difficult to make good to appropriate standards. There are numerous alternative methods of improving insulation in historic buildings including loft insulation, upgrading of historic windows with draught seals, hanging heavy curtains, or internally lining walls, which do not have a detrimental effect on the character or appearance of a property.

For further information on energy efficiency measures for historic buildings see Historic England's website <https://www.historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/>

22. **Demolition**

You will need to obtain planning permission for demolition works which amount to the total or substantial destruction of any house or building with a volume in excess of 115 m³. You will also need planning permission to demolish gates, fences, walls or railings over 1m high fronting a highway or public open space, or over 2m high elsewhere in the area. In addition, in conservation areas covered by an article 4 direction, permitted development rights may be removed for total or partial demolition of any boundary wall.

Planning applications which involve the substantial or total demolition of any building in a conservation area will be refused unless it can be demonstrated that its individual loss, and the subsequent harm caused to the character of the conservation area, is outweighed by the significant public benefit of the development. In such a case only high quality buildings in terms of design and materials will be considered.

23. **New buildings**

New development in conservation areas can be positive, provided that it is not at the expense of existing houses or buildings of architectural or historic interest or townscape value. In addition it should not compromise green spaces that contribute positively to the character or appearance of the area.

CONSERVATION AREA GUIDANCE

There is no 'one size fits all' approach to designing new houses or buildings in conservation areas, as the individual site context should always be the starting point that informs the scheme. All development should preserve and enhance the character and appearance of the conservation area. In some cases a traditional design might be appropriate; in others a contemporary approach might be more successful.

24. Re-using historic buildings

When historic buildings are being redeveloped for a new purpose, past unsympathetic and inappropriate alterations should be reversed wherever possible in order to restore the character of the building.



Burton's building 2014



Burton's building 2017

CONSERVATION AREA GUIDANCE

25. **Materials**

In most circumstances a grant of planning permission will include conditions to ensure that appropriate, high quality materials are used in all developments in conservation areas; these will normally need to be approved on site by the Built Heritage and Conservation Team before you start any building work.

26. **Trees and gardens**

Conservation Area status gives trees within the area special protection. Trees are defined with reference to a minimum diameter of the trunk of 75mm at a point 1.5m above the ground. You will have to give six weeks' notice, in writing, to the Council of any proposed removal or pruning works to trees in a conservation area even if they are not specifically protected by a tree preservation order (TPO). In giving notice you should specify precisely what works you wish to carry out. During those six weeks the Council must decide whether or not to make the trees the subject of a Tree Preservation Order.



The original pattern of gardens and grounds and the presence of trees can contribute greatly to the character of a conservation area, and should be retained. It is a common trend to convert front gardens into hardstanding for car parking, resulting in the loss of attractive and valuable green space, and often also the loss of historic boundary walls. This can be very damaging to the appearance of both the property and the wider street scene, and advice should always be sought in the first instance. Planning permission will usually be required.

CONSERVATION AREA GUIDANCE

27. Shopfronts and signage

Replacement shopfronts and signage should comply with SPG 6: Shopfronts and Signs. <https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Planning/Planning-policy/Blackpool-local-plan/Supplementary-planning-documents-and-guidance/Supplementary-planning-documents-and-guidance.aspx>. This SPG is supplemented policies CS7, LQ 11 and LQ13, and by further guidance which is available on the Council website.



Traditional shop front on Cedar Square

CONSERVATION AREA GUIDANCE

28. **Bi-fold doors**

Planning applications to replace shop fronts with bi-fold doors in commercial properties in conservation areas will not normally be supported. Replacement shop fronts should respect the age and materials of the host building, so a traditional design would be the most appropriate in an historic building.

If it can be demonstrated that the host building is of postwar design, or where postwar modernisation has left a building with a more modern appearance, then appropriate alternative design and materials will be considered. Planning applications for new shop fronts will be assessed on a case by case basis.

29. **Development will be refused where**

- a) It would harm the character or appearance of the conservation area, including historic plan form, the relationship between buildings, the arrangement of open areas and their enclosure, grain, or significant natural or heritage features;
- b) The height, siting, form, massing, proportions, design or materials would not preserve or enhance the character of the area;
- c) Development outside a conservation area which would cause harm to its setting and surroundings, or harm the inward or outward views;
- d) The proposed land use would not preserve or enhance the function and character of a conservation area; or
- e) It would involve the demolition of a building or structure which positively contributes to the character or appearance of the area.

CONSERVATION AREA GUIDANCE

SHOPFRONTS AND SIGNAGE

February 2024



Contents

Introduction	3
Shop Fronts	3
Signage	4
Security	6

1. INTRODUCTION

This guidance note aims to summarise and explain Blackpool Council's local planning policies on shopfront design, signage and security in order to assist shop owners and shop fitters when new shop fronts and signage are being considered. It should be read in conjunction with Supplementary Planning Guidance 5: External Shutters, Supplementary Planning Guidance 6: Shop Fronts and Signs, and Signage SPD available on the Council website

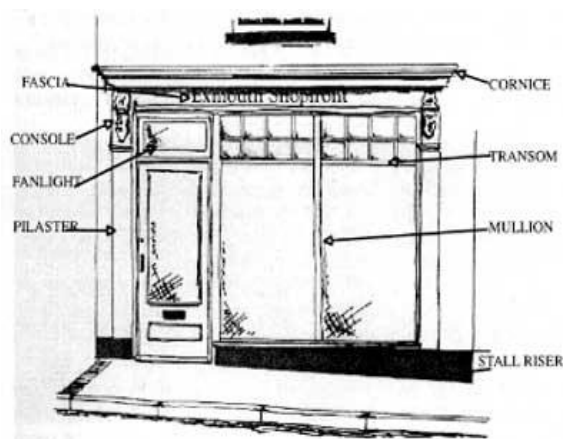
<https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Planning/Planning-policy/Blackpool-local-plan/Supplementary-planning-documents-and-guidance/Supplementary-planning-documents-and-guidance.aspx> .

2. SHOP FRONTS

- 2.1 Planning permission is required for the external alteration of a shop front. Advertising consent is required for new, additional or replacement signage. If the shop is part of a listed building then listed building consent will also be required. The Council will seek designs which reflect the character of the Conservation Area and use traditional materials, unless it can be demonstrated that a contemporary alternative will maintain and preserve the character and appearance of the area and of the host building.
- 2.2 The provision of canopies or awnings over shop forecourts will usually need planning permission, and using the forecourt for sales or display of goods may also need permission.
- 2.3 Where a shop front occupies more than one building or unit, the division between the two should be identifiable and the fascia should maintain this separation.
- 2.4 The most common problem in modern shop front design is the loss of the vertical architectural relationship between the ground and upper floors. This is traditionally set by the form and the arrangement of doors and windows.
- 2.5 The shop front window should not extend the full width of the building. A well-designed shop front can be described as a framed picture, with the subject being the goods on display, and the fascia, pilasters and stall risers seen as the frame. For example, this may be done by extending the main elevation material e.g. brick or stone, down to ground level at either side of the window. Pilasters could be used to provide vertical emphasis, perhaps in timber, tile or other traditional material. The stallriser could be executed in timber, stone, brick or tile. For grant funded schemes these elements should always be executed in timber.
- 2.6 The design and proportions of the fascia should take into account the character, size and form of the building. It should not overlap the windows or sills above. To achieve the best visual proportions, the stallriser should not exceed 20% of the overall shopfront height.
- 2.7 The use of upvc for any element of a shop front will not be permitted in Conservation Areas, or on listed or locally listed buildings.



Vertical connection between floors



Typical historic shop front

- 2.8 Planning applications to replace shop fronts with bi-fold doors in commercial properties in Conservation Areas will not normally be supported. Replacement shop fronts should respect the age and materials of the host building, so a traditional design would be the most appropriate in an historic building.
- 2.9 If it can be demonstrated that the host building is of postwar design, or where postwar modernisation has left a building with a more modern appearance, then appropriate alternative design and materials will be considered. Planning applications for new shop fronts will be assessed on a case by case basis.

3. SIGNAGE

- 3.1 Advertising consent is required for all new, additional or replacement signage under regulation 4 of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007. All advertisements are subject to standard conditions, requiring them to be safe, clean and tidy. Listed building consent will also be required where advertisements are proposed on such buildings.
- 3.2 Adverts and signage, including window vinyls, which are in breach of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 are open to action by this Council to secure their removal.
- 3.3 In Conservation Areas painted timber fascias are more appropriate than acrylics and other modern materials, particularly on traditional timber shop fronts. Lettering can also be applied in relief where appropriate.
- 3.4 Bulky, internally illuminated box signs constructed from non-traditional materials will not be permitted within Conservation Areas or on listed or locally listed buildings. The Council will consider applications for signage to be discreetly externally lit or for internally lit individually mounted letters standing proud of the fascia to provide a halo effect.

CONSERVATION AREA GUIDANCE – SHOP FRONTS AND SIGNAGE

- 3.5 The size of lettering and logos should be in proportion to the detailing of the building. Lighting should be discreetly fixed and the minimum to allow the sign to be seen at night.
- 3.6 Whilst the Council accepts the value of corporate brand identity, companies may be required to modify the dimensions or arrangement of their signage to suit the character and proportions of the host building. It is usually possible to retain the graphic style, with careful use of materials, adaptation of size, and a flexible approach to location.
- 3.7 Where advertising consent is being sought for an existing shop front the opportunity should be taken to reduce the scale and improve the design where necessary in order to comply with the general design principles of this guidance. Previous poor design should not be seen as a precedent for proposed changes to signage.
- 3.8 Signs on timber or metal hanging boards of modest size and good proportions are a traditional feature of commercial streets. Hanging signs on wrought iron brackets are almost always preferable to solid projecting box signs, especially within Conservation Areas and on listed or locally listed buildings.
- 3.9 Projecting signs should normally be located at fascia height and preferably on the pilaster. Only one projecting sign per shop front elevation will be permitted. Corner premises will therefore be able to display two signs.
- 3.10 Internally illuminated projecting signs will not normally be allowed in Conservation Areas or on listed or locally listed buildings.
- 3.11 Coloured vinyl signage panels on windows are not generally acceptable on listed buildings, locally listed buildings and in Conservation Areas.



Traditionally designed shopfront

4. SECURITY

- 4.1 External solid roller shutters require planning permission, but will not be permitted on listed buildings, locally listed buildings or in Conservation Areas, local or district shopping centres, the resort core, resort neighbourhoods, or the promenade frontages. They have a significant impact in the streetscene and perpetuate the perception of the presence of criminal activity in the area. They are not acceptable on traditional shop fronts in any form as they invariably require fixings cut into mouldings and obscure them once in place.
- 4.2 The balance between aesthetic appearance and effective security is best achieved by incorporating security measures within the shop front design from the outset as opposed to 'bolting it on' retrospectively.
- 4.3 Small paned windows are less of a temptation to vandals than large sheet glass windows and the cost of repair is significantly less. The frames supporting the glazing also represent an additional obstacle to anyone trying to gain access.
- 4.4 High vision internal shutters will retain the character and appearance of a shop front and maintain a display of goods, whilst providing effective security. Planning consent will not be required for these devices, although Listed Building Consent would be required for buildings designated as such. Honeycomb or brick bond (tube and link) are acceptable in Conservation Areas.



Example of high vision internal shutters

- 4.5 A reduced value display together with an internal shutter presents a major deterrent to theft and damage whilst preserving the retail character of the shop when closed.

CONSERVATION AREA GUIDANCE – SHOP FRONTS AND SIGNAGE

- 4.6 Glazing is an integral part of shop front design, but its qualities and security performance is often overlooked. It is possible to combine both aesthetic and functional requirements through the use of security glass. Toughened glass is five times stronger than ordinary glass of the same thickness and is, therefore, very difficult to break. When it does break it collapses in small and blunt fragments. In certain situations shatter-proof adhesive may be applied to the surface of glazing to help prevent damage from vandalism.
- 4.7 Laminated glass is an alternative to toughened glass and can be produced in a variety of sizes and thicknesses. It will not shatter on impact but, if attacked with sufficient force, it will crack at the point of impact. The remainder of the window will stay intact, preventing illegal entry. Where laminated glass is used, the window mullions may need to be strengthened to hold the glass and withstand attack as they are potentially the weakest part of the shop front. The use of security glass does not require planning permission and has the added benefit of ensuring natural surveillance of the shop interior.
- 4.8 Where alarm boxes need to be fitted to the front of a shop it is preferable that they are placed above the fascia and any architectural detailing. If the box has to be placed lower it should avoid fixing to any architectural element.

Header 3

Document Control

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Date	Version	Amended by	Description of changes

Approved By:

Name	Title	Signature	Date

Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	27 February 2024

SITE / UNIT 15, SQUIRES GATE INDUSTRIAL ESTATE, BLACKPOOL, FY4 3RN – REVOCATION OF HAZARDOUS SUBSTANCE CONSENT

1.0 Purpose of the report

- 1.1 To obtain approval from the Planning Committee for the making of an Order under S14(2) of the Planning (Hazardous Substances) Act 1990 to revoke the Hazardous Substances Consent at a former gasholder site at Squires Gate Industrial Estate, Site 15 – See attached plan

2.0 Recommendation(s)

- 2.1 To authorise the revocation of the Hazardous Substance Consent orders in relation to the above site.
- 2.2 To authorise the making of the Hazardous Substance Revocation Orders and serving of said notices on interested parties and request confirmation of the Orders by the Secretary of State.
- 2.3 To delegate authority to the Director of Communication and Regeneration to amend, process, resolve and consult with relevant parties to enable completion of the revocation duty.

3.0 Reason for recommendation(s)

- 3.1 The site is no longer occupied / tenanted by Home Heat Gas Co Limited and the large gas storage tanks have been removed, therefore there is no requirement for the hazardous substance consent order.
- 3.2 The presence of the consent order does not prohibit development, but does prohibit the occupation of any new development within the 250m designated COMAH zone. This will have a negative economic and regeneration impacts on the proposed development within the Eastern Gateway and privately owned sites within the Enterprise Zone.

3.3 The Council has within its powers under the Planning (Hazardous Substances) Act 1990 the provision to issue Hazardous Substance Revocation orders that can be used by the Hazardous Substance Authority (HAS) in this instance Blackpool Council.

3.4 There has been a material change of use of the land and the substances detailed in the hazardous substance consent have not been present on, over or under the land for at least five years.

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

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

4.0 Other alternative options to be considered

4.1 No other options were considered. The Hazardous Substance Consent provides the legal authority to store Hazardous Substances and that alone. The substances have been removed from the site. A decision not to proceed to revocation will preclude the occupation of new development in the Enterprise Zone.

4.2 Doing nothing is not an option as the issuing of the revocation orders is a necessary step in order to fulfil delivery of the Enterprise Zone masterplan

5.0 Council priority

5.1 The relevant Council priority is: 'The economy: Maximising growth and opportunity across Blackpool'

6.0 Background and key information

6.1 The last approved Hazardous Substance Consent ref. 99/0349 was in respect of the storage of 38.3 tonnes of commercial propane and 52.0 tonnes of commercial butane. This was approved 20 September 1999.

6.2 Home Heat Limited vacated the site in 2019.

6.3 The site has most recently been used for temporary wagon parking by Fox Brothers and Leyland Trucks.

6.4 Related planning applications: 95/0763 and 95/0600

6.5 Does the information submitted include any exempt information? No

7.0 List of appendices

7.1 Appendix 9a – Draft Order – Hazardous Substances Consent Revocation

8.0 Financial considerations

8.1 None.

9.0 Legal considerations

9.1 The Planning (Hazardous Substances) Act 1990 allows for a Hazardous Substance Consent to be revoked under s14. This Authority, as a Hazardous Substance Authority, can make a revocation order under s14 (1) or (2) of the Act. The revocation will be subject to confirmation by the Secretary of State under s.15 of the Act (even if it is unopposed). S 16 (1) of the Act makes clear that compensation, which would otherwise be payable for a revocation or modification using powers under s14 (1), is not payable for a revocation if it is made under s14 (2) of the Act.

9.2 Whilst the risk of compensation being sought from the Council would not apply if the consent was revoked under s14 (2), there are a number of criteria that must be satisfied, these are as follows:

(a) that there has been a material change in the use of the land to which the HSC relates; or

(b) planning permission has been granted and commenced for development of the site and would involve making a material change in the use of the land; or

(c) in the case of a Hazardous Substance Consent which relates only to one substance, that the substance has not for at least five years been present on, over or under the land to which the consent relates in a quantity equal to or exceeding the controlled quantity or

(d) in the case of a Hazardous Substance Consent which relates to a number of substances, that none of these substances has for at least five years been so present.

9.3 The Council must serve notices on any persons specified in S15(3) of the Act, who must be given no less than 28 days to make representations to the Secretary of State. If any representations are made those persons will get the opportunity of appearing before a person appointed by the Secretary of State.

9.4 Where the order has been approved by the Secretary of State, the Council must serve with notice under S15(3) of the Act.

9.5 Under S16 of the Act, a right to compensation may apply where the Council proposes to revoke an Order under S14(1) of the Act. There is no such right to compensation if the Council revokes the Order under S14(2) of the Act as proposed.

10.0 Risk management considerations

- 10.1 Whilst there is a risk of compensation being requested if revocation is made under s14(1) of the Planning (Hazardous Substances) Act 1990 this does not apply under s14(2). It is proposed to revoke under s14(2) of the Planning (Hazardous Substances) Act 1990, under s14(2) to negate compensation risk.
- 10.2 There are positive environmental implications from revoking the consent for the continued storage of hazardous materials to the currently authorised amounts at the site. It reduces a potentially hazardous use.

11.0 Equalities considerations and the impact of this decision for our children and young people

- 11.1 None.

12.0 Sustainability, climate change and environmental considerations

- 12.1 None.

13.0 Internal/external consultation undertaken

- 13.1 Internal consultation has been undertaken with Blackpool Councils Planning and Legal department.

14.0 Background papers

- 14.1 None.

**BLACKPOOL BOROUGH COUNCIL REVOCATION OF HAZARDOUS SUBSTANCES CONSENT
ORDER (No 1) 2024**

Unit 15 SQUIRES GATE INDUSTRIAL ESTATE, SQUIRES GATE LANE, BLACKPOOL

BLACKPOOL BOROUGH COUNCIL REVOCATION OF HAZARDOUS SUBSTANCES CONSENT

ORDER (No 1) 2024

Unit 15 SQUIRES GATE INDUSTRIAL ESTATE, SQUIRES GATE LANE, BLACKPOOL

PLANNING (HAZARDOUS SUBSTANCES) ACT 1990, SECTION 14(2)

RECITALS

1. The hazardous substance consents (“the Consents” which definition includes the Deemed Consent) as listed below were granted or deemed to have been granted by Blackpool Borough Council (“the Authority”) being the hazardous substance authority and in pursuance of their powers under the Planning (Hazardous Substances Act 1990 (“the Act”) for the presence of hazardous substances in respect of the land described in Schedule 1 (“the Land”).

<u>Reference</u>	<u>Date Issued</u>	
95/0600	15/04/1996	
99/0349	20/09/1999	(“Deemed Consent”)

2. The Land is no longer occupied by the applicant for the Deemed Consent and the large gas storage tanks have been removed from the Land.
3. The revocation of the Consents means that the Health and Safety Executive is unlikely to have any objection to future planning applications to develop the Land or neighbouring land because the existing consultation zones would be removed.
4. The Council’s Planning Committee on xxxx resolved that the Consents should be revoked.
5. It appears to the Authority, having regard to material considerations, that it is expedient to revoke the Consents.
6. The ground on which the Order is made is as follows:

The Council accepts there has been a material change of use of the Land and the substances detailed in the Deemed Consent have not been present on, over or under the land for at least five years.

NOW therefore the Authority as hazardous substances authority and in pursuance of section 14 1) of the Act and of all the powers enabling hereby make the following order:-

1. The Consents are revoked in their entirety.

2. This Order shall be cited as the Blackpool Borough Council Revocation Of Hazardous Substances Consent Order (No 1) 2024

SCHEDULE 1

The Land at Unit 15 Squires Gate Industrial Estate, Squires Gate Lane sown edged red on the plan attached to this Order

SCHEDULE 2

Category of chemical form which Deemed Consent was given:

Flammable: Part C

Any person wishing to object to this order must do so in writing to the Secretary of State for Levelling Up, Housing & Communities ("Secretary of State") before xxxx 2024 at the following address:

Planning Casework Unit

4th Floor, 23 Stephenson Street,

Birmingham

B2 4BH

Any such objector to this Order may require an opportunity of appearing before and being heard by a person appointed by the Secretary of State for that purpose.

Notice of this Order is to be served on:

Any other relevant land owner to be determined.

This Order shall not take effect until it has been confirmed by the Secretary of State.

Given under the Common Seal of Blackpool Borough Council this day of two thousand and twenty four

The **COMMON SEAL** of
BLACKPOOL BOROUGH
COUNCIL was hereunto
Affixed in the presence of:

Authorised Signatory

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Blackpool Council
Development Management

Officer Report to Committee

Application ref:	23/0777
Ward:	Brunswick
Application type:	Full
Location:	
The former Devonshire Road Hospital site on the south-west corner of the junction of Talbot Road and Devonshire Road	
Proposal:	
Erection of a 3-storey building for use as court-house with judicial chambers, administrative space, custody facilities, public waiting facilities, with associated landscaping, partial removal of existing wall to create new pedestrian access and new vehicular access onto Talbot Road, car parking for up to 95 vehicles and cycle parking.	
Recommendation:	
Approve subject to conditions	
Recommendation Summary:	
The scheme would deliver a well-designed public facility on a prominent site in need of redevelopment on a Key Resort Gateway. The proposal would not have any unacceptable impacts on amenity, highway considerations, drainage or environmental quality. The significance of the existing boundary wall as a locally listed heritage asset would be suitably preserved. A significant number of new trees are proposed along with other greening measures, and the building would achieve a high level of sustainability. The relocation of the Courthouse to this location would facilitate comprehensive redevelopment of the Leisure Quarter site to deliver regeneration of the Resort Core. Overall the development is considered to be of a high standard.	
Meeting date:	
27 February 2024	
Reason for bringing to Committee:	
Major scale development of strategic significance	
Case officer:	
Susan Parker	
Case officer contact:	
01253 476228	

1.0 SITE DESCRIPTION

- 1.1 The application site is L-shaped and covers the eastern half and south-western corner of the former Devonshire Road Hospital site. The wider site is rectangular and the north-western corner has been excluded from this proposal for future development. The site currently benefits from two vehicle access points, one off Coleridge Road to the west and one from Devonshire Road to the east. There is an additional, pedestrian access onto Talbot Road to the north. There is a major signal-controlled junction directly to the north-east.
- 1.2 There are a number of sizeable commercial uses and a school fronting Devonshire Road to the south and east, and a small local centre fronting Talbot Road also to the east. Otherwise the wider area has a predominantly residential character. At present the site surface comprises a mix of tarmac, concrete and compacted loose material.

1.3 The site is unallocated on the Policies Map to the Local Plan. The perimeter wall and former bus shelter are locally listed and there are a number of trees along the site boundaries. Talbot Road is a Key Resort Gateway and the site falls within the Talbot and Brunswick Integrated Neighbourhood Improvement (TABINI) area Blackpool Airport Safeguarding Zone. Otherwise it is not subject to any other designations or constraints.

2.0 PROPOSAL

2.1 The application seeks full planning permission for the erection of a 3-storey building for use as court-house with judicial chambers, administrative space, custody facilities and public waiting areas.

2.2 A new vehicular access point would be created centrally within the Talbot Road frontage and this would lead to a roundabout towards the back (south) of the site. This roundabout would give access to the court complex to the east and an associated car park to the west in the south-west corner of the site. Some 95 car parking spaces are proposed along with cycle parking and a new pedestrian access point onto Talbot Road. The existing vehicle access from Devonshire Road would be retained but this would be for court transport vehicle and emergency use only. The existing vehicle access point from Coleridge Road would be removed.

2.3 The application has been supported by:

- Planning statement
- Design and access statement
- Historic impact assessment
- Transport assessment
- Framework travel plan
- Flood risk assessment
- SUDS proforma
- Arboricultural report
- Tree constraints and protection plans
- Biodiversity metric
- Biodiversity statement
- Ecological appraisal
- BREEAM report
- Ground investigation report
- Environmental summary technical note

3.0 RELEVANT PLANNING HISTORY

3.1 23/0258 – pre-application advice sought in respect of this proposal.

3.2 21/0517 – hybrid planning permission granted for the redevelopment of the Blackpool Central site to deliver a major new tourist attraction with associated hotels, car parking and retail/food/drink provision. The existing court building is situated on a part of this site identified as phase 3 of the redevelopment proposals. The court facility therefore needs to be relocated to enable this approved development to proceed in full.

3.3 Whilst there is a lengthy planning history for the application site itself, no specific application is considered to be of particular relevance to this proposal.

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

4.1 National Planning Policy Framework (NPPF)

4.1.1 The NPPF was adopted in December 2023. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 2 Achieving Sustainable Development
- 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, & Coastal Change
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

4.2 National Planning Practice Guidance (NPPG)

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

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

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

- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage
- CS9 Water Management
- CS10 Sustainable Design and Low Carbon and Renewable Energy
- CS11 Planning Obligations
- CS12 Sustainable Neighbourhoods
- CS20 Leisure Quarter (Former Central Station Site)
- CS22 Key Resort Gateways

4.4 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (Part 2)

4.5.1 The Blackpool Local Plan Part 2 was adopted in February 2023. The following emerging policies in Part 2 are most relevant to this application:

- DM17 Design Principles
- DM18 High Speed Broadband for New Developments
- DM19 Strategic Views
- DM21 Landscaping
- DM25 Public Art
- DM28 Non-Designated Heritage Assets

- DM30 Archaeology
- DM31 Surface Water Management
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM37 Community Facilities
- DM41 Transport Requirements for New Development
- DM42 Aerodrome Safeguarding

4.6 Other Relevant documents, guidance and legislation

- 4.6.1 The Talbot and Brunswick Integrated Neighbourhood Improvement Area Neighbourhood Planning Guidance was published in June 2006. The document considered the relevant planning policies in place at that time and suggested how they should be applied to shape the future development of the TAB neighbourhood. It hung on Policy BH2 of the Blackpool Local Plan 2001-2016 which has since been superseded by the new Local Plan Parts 1 and 2. Fundamentally, the guidance expected new development in the area to be of a high quality and contribute positively to community safety and security and the vitality of the area. Importantly, the document expected new development to be appropriate to the scale and character of the area. It significantly pre-dated the Talbot Gateway vision and so did not envisage or make reference to potential development of the scale now proposed.
- 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 Blackpool Council declared a Climate Change Emergency in June 2019 and is committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030.
- 4.6.5 Blackpool Council adopted the Blackpool Green and Blue Infrastructure (GBI) Strategy in 2019. The GBI Strategy sets out six objectives for Blackpool in terms of green infrastructure:
- Protect and Enhance GBI i.e. protecting the best and enhancing the rest
 - Create and Restore GBI i.e. greening the grey and creating new GBI in areas where it is most needed
 - Connect and Link GBI i.e. making the links, improving connectivity and accessibility of GBI
 - Promote GBI i.e. changing behaviour, promoting the benefits of GBI and encouraging greater uptake of outdoor activity and volunteering.
- 4.6.6 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.
- 4.6.7 Blackpool adopted the 2021-2031 Tree Strategy in July 2021. This strategy recognises the importance of trees, the benefits they afford us and the ever-important role they can play in improving our community's mental wellbeing, socio-economic value, providing a home for

wildlife and mitigating environmental issues and climate change. Given that Blackpool only has 4.4% tree cover (the lowest in the UK), the Strategy aims to embed trees into decision making processes across the council and ensure the current stock is proactively managed.

- 4.6.8 Greening Blackpool Supplementary Planning Document (SPD) - this document was adopted in May 2022 and sets out the green infrastructure and tree planting requirements for new development.

5.0 CONSULTEE RESPONSES

- 5.1 **Built Heritage Manager:** the proposed alterations to the boundary wall would be acceptable to enable access and no objection is raised. Methodologies should be secured through condition for repair and redecoration of the wall, which represents different phases of development of the original hospital, with rendered panels and railings. The alterations to the tram shelter would preserve the visual integrity of the original design whilst the replacement of the back wall with a dwarf wall and railings would like reduce graffiti in the future. The canted corner of the wall at the Talbot Road/Devonshire Road junction presents an opportunity to create a focal point. As the building sits squarely along both highway elevations, high-level lettering should be on both elevations.
- 5.2 **Blackpool Civic Trust:** no response has been received in time for inclusion in this report. If any comments are provided in advance of the Committee meeting they will be reported through the update note.
- 5.3 **Environmental Protection (amenity):** given the location of the proposed plant equipment, no noise assessment is required.
- 5.4 **Environmental Protection (pollution):** the information submitted in relation to air quality is acceptable as the negligible increase in traffic would have negligible impacts on the AQMA. With regard potential land contamination, it is agreed that no remediation is required as per the report.
- 5.5 **Greater Manchester Ecology Unit (GMEU):** the submitted information finds the site to be of generally low ecological value, with the majority of interest restricted to the trees and shrubs on the perimeter. Although some trees are to be lost, these areas would largely be retained. The appraisal makes a number of recommendations, including one for a Construction Environmental Management Plan. Appropriate condition wording is recommended. With regard to biodiversity net gain, a very detailed assessment has been provided which indicates a net gain of some 46% for area-based habitats and 11.5% for linear habitats. However, as no detailed landscaping or planting plans have been submitted, these figures cannot be verified. It has been confirmed that this information can be secured through condition and appropriate condition is provided.
- 5.6 **Head of Parks and Greens:**
- 5.6.1 20/11/23 - the tree losses/removals proposed are due to condition rather than the development and would appear to be suitably replaced as part of the scheme. Some works would be undertaken within the root protection area of tree 18 which must therefore be provided with protective matting and checked (by the Council's Parks team or a project arboriculturalist) along with the protective fencing prior to commencement. A limited number of new trees are proposed to be planted but there would appear to be space within the parking areas for more tree planting.

- 5.6.2 26/01/24 - The proposal has been discussed with the Green and Blue Infrastructure Officer. The green roof and grass are welcome additions, but a green wall here would have been ideal as noted in the preliminary ecological appraisal. Appropriate tree protection conditions will be required including a documented supervision process. A detailed planting plan, including methods to improve the rooting environment, and a maintenance schedule should be provided. An ecologist should be consulted to ensure that necessary BNG is achieved.
- 5.6.3 30/01/24 - The inclusion of more trees is welcomed. If planted correctly and well managed, the new trees will eventually fill the gaps and become a successful tree line. There are existing category U trees of low vitality that contain deadwood. The arboricultural report states that these should be felled or protected, it is unclear which. A meeting should be held prior to the installation of protective fencing to discuss facilitative pruning and a work schedule. Some category U trees may be suitable for retention and felled trees should be left in situ as habitat where feasible. Retention of deadwood as habitat can be misunderstood with a misconception that it represents poor maintenance or neglect. This could be overcome through the provision of an information board and appropriate wording is suggested.
- 5.6.4 01/02/24 – verbal confirmation that the relocation of the refuse store is acceptable.
- 5.7 **Head of Highways and Traffic Management Services:**
- 5.7.1 Initial comments: The Council has been in discussion with the applicant’s highway consultants from the start of the Transport Assessment (TA) scoping process, in particular with regard to parking provision, access and the adjacent signal junction. The Council accepts that parking numbers could be derived from other sites for consideration against published Local Plan standards. These standards are based on gross floor area and would require several hundred spaces. The analysis provided is robust and detailed and demonstrate levels of demand that would be met by the parking proposed.
- 5.7.2 Any parking provision on site would need to be controlled through either being secure, restricted or charged for. It would otherwise become a local car park for general use. Apart from the secure areas there is no indication how this would be achieved or by whom. A clear and acceptable proposal is required prior to determination. The nearest uncontrolled on-street parking has potential to be used by Courts visitors seeking to avoid any on-site controls or charges. Use of Traffic Regulation Orders may therefore be required. There will be a need for waiting restrictions to be introduced on Talbot Road.
- 5.7.3 The analysis submitted demonstrates that the development would not make a material difference to traffic loadings or delays at the Talbot Road / Devonshire Road junction. Queues and delays, notably northbound, vary considerably. Significant queues are not uncommon and arise from local circumstances or unusual peak flows. The conclusions of the TA are accepted.
- 5.7.4 The proposal seek to retain as much of the boundary wall as possible. Some highway alterations would be required including the re-siting of a pedestrian refuge and the introduction of TRO restrictions. Subject to detailed design and a Road Safety Audit, no objections are raised.
- 5.7.5 Further comments: the updated information submitted is accepted. The detailed operation remains the key issue and an agreement must be reached on the setting and updating of

tariffs. A balance must be struck to ensure that parking is not pushed onto surrounding streets but that, equally, the site does not become a local car park for general convenience. The nearest eastbound and westbound bus shelters should be upgraded. The cost would be £8,000 per shelter for purchase and installation, with a further allowance of £5-£7,000 for raised kerbs, drainage, resurfacing and upgrading of the markings. A requirement of £15,000 for each bus stop would therefore be appropriate. Comments have been made regarding the Travel Plan and a revised Travel Plan has been submitted and deemed to be acceptable.

- 5.7.6 30/01/24 – verbal advice that any relocation of the refuse store would require relocation of the access gate. The gate must be sufficient distance away from the vehicular access point to ensure that a stopped refuse wagon would not have an unacceptable impact upon visibility or highway safety. Confirmed that the revised position is acceptable.
- 5.8 **Lead Local Flood Authority (LLFA):** overall the submitted flood-risk assessment is acceptable. There are no watercourses or separate systems in the area to connect into, limiting options to the combined sewer. At present no drainage layout is proposed but the FRA and suds proforma show a discharge rate of 4.4l/s and some storage and permeable paving. The standard conditions should be applied.
- 5.9 **United Utilities:**
- 5.9.1 Initial comments (24/11/23): The drainage documents submitted are not considered to be acceptable because they do not provide robust evidence that the drainage hierarchy has been thoroughly investigated and that the proposals are in-line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. Despite the stated intention to discharge to the public sewer system, no indicative drainage plans have been submitted. An appropriate condition has been recommended in the event that planning permission is granted. UU will not advise on discharge rates to watercourses and so the Environment Agency or Lead Local Flood Authority should be consulted as appropriate. An appropriate condition to secure suitable drainage management is recommended.
- 5.9.2 It is the applicant's responsibility to demonstrate the relationship between the development and any UU assets. A water main crosses the site and must not be built over. Access must not be compromised. An objection is raised until it can be demonstrated that the water main would not be affected. A public sewer crosses the site and, again, it must not be built over or access compromised. The applicant should contact UU at the earliest opportunity to discuss these issues.
- 5.9.3 Further comments (28/12/23): it has been confirmed that a refuse store would be constructed over a water main which would not be acceptable. Either the store must be relocated or the water main diverted. An appropriate condition is offered and an objection is maintained until this matter is resolved. It is again stated that a plan showing site levels and proposed cover and invert levels is required. In the event that this is not provided prior to determination, an appropriately worded condition is offered and should be imposed on any permission granted. The other previous comments remain.
- 5.10 **Electricity North West:** the development would be adjacent to or affect ENW assets. The development must not encroach onto ENW land or compromise access. The applicant should contact ENW at the earliest opportunity. Great care should be taken at all times when working around electrical apparatus. Relevant guidance documents are available, namely HS(G)47 and GS6. The applicant should also adhere to the minimum safety clearance set out within the Energy Network Associations Guidance. The cost of any necessary

diversion of apparatus arising from the works would typically be borne by the applicant. ENW has rights of access, inspection, maintenance and repair at all times. ENW offers a mapping service for developers. It is the developer's responsibility to demonstrate the relationship between the development and any ENW assets.

- 5.11 **Blackpool Airport:** provided the development is constructed as shown on the submitted plans, Blackpool Airport would merely require notification of crane use and a Crane Permit to be obtained if required. Details are provided.
- 5.12 **Community Safety Manager:** no response has been received in time for inclusion in this report. If any comments are provided in advance of the Committee meeting they will be reported through the update note.
- 5.13 **Lancashire Constabulary:** no response has been received in time for inclusion in this report. If any comments are provided in advance of the Committee meeting they will be reported through the update note.

6.0 **REPRESENTATIONS**

6.1 Press notice published: 09/11/23

6.2 Site notice published: 16/11/23

6.3 Neighbours notified: 31/10/23

6.4 One objection has been received raising the following points:

- The nearby junction is already heavily congested, this would be exacerbated
- Detrimental impact on highway safety
- The Courts would be too far from the main Police headquarters leading to unsustainable and non-cost-effective transportation of those attending court
- The Courts should be located elsewhere (adjacent to the Police headquarters or on Peel Park)
- The site should be used for affordable or social housing

6.5 Members are respectfully advised that this proposal is not subject to a sequential test requirement and that preference for an alternative site, or preference for an alternative form of development on this site, are not valid planning considerations in relation to this application.

7.0 **ASSESSMENT**

7.1 **Principle**

7.1.1 The Blackpool Magistrates and County Courts are currently located on the corner of Chapel Street and Bonny Street within Blackpool Town Centre. They share the site with the former Lancashire Constabulary police headquarters which is now vacant following the police move out to new premises on Clifton Road. The current Courts site forms part of the Leisure Quarter site known locally as Blackpool Central. This wider site is allocated for and has indeed been granted planning permission for comprehensive redevelopment to provide new tourist attractions, hotel accommodation, multi-storey car parking and associated uses. The intention is that this redevelopment would drive regeneration in this area of the resort. The

relocation of the Courts complex from this site is therefore essential to enable this wider redevelopment and regeneration. The proposal would therefore fundamentally assist in meeting the objectives of Part 1 Policy CS20 and this weighs notably in favour of the application.

- 7.1.2 The application site falls within the defined Inner Area of Blackpool but is otherwise unallocated on the Policies Map to the Local Plan. Talbot Road, however, is identified as a Key Resort Gateway under Part 1 Policy CS22 which seeks improvement and development to ensure that the route provides an attractive gateway into the resort and town centre. The site also falls within the Talbot and Brunswick Integrated Neighbourhood Improvement Area, or TABINI, which also makes Part 1 Policy CS12 relevant. Again the thrust of these policies is on investment, improvement and regeneration to deliver sustainable communities. Part 2 Policy DM37 confirms that the Council will promote sites and encourage opportunities for new community facilities on appropriate sites where there is an identified shortfall of provision.
- 7.1.3 The application site has been vacant for over 15 years. It is on a prominent corner at a busy junction on a gateway route. Significant redevelopment of the site that would deliver significant built environment improvements, and particularly to provide a municipal, community facility, would be welcomed. It would accord with the aspirations for Talbot Road as a resort gateway and the overall objectives of the Core Strategy to facilitate major regeneration and high-quality development. Again, this weighs notably in favour of the application.
- 7.1.4 The use would not classify as a Main Town Centre Use and so there is no requirement for the proposal to satisfy the sequential test. Whilst there is no specific local need for the use, the requirement for the Courts to relocate from the Leisure Quarter creates a borough-wide need for new provision. As above, Part 2 Policy DM37 is supportive of such provision on appropriate sites where they would be accessible by sustainable modes of travel. Both Devonshire Road and Talbot Road are classified roads and primary distributor routes. Both carry a number of different bus routes and the site would be some 10 minutes' walk from Blackpool North train station. As such, the site is considered to satisfy the requirements of Policy DM37. There is a small local centre on the opposite side of Devonshire Road and a cluster of commercial units including a supermarket immediately to the south. These would serve employees of the complex who would likewise support these businesses, increasing the sustainability of the site as a location for a community facility.
- 7.1.5 The TABINI guidance was drafted long before the need for a relocated Courts complex was envisaged and so makes no reference or provision for the development proposed. However, the document seeks high-quality new development to improve the built environment, including new community facilities. Overall it is considered that the proposal would accord with the ethos of the plan for the area.

7.2 Planning Obligations

- 7.2.1 By virtue of the nature of the scheme it would not be liable for any planning obligations relating to affordable housing, public open space, local education or local healthcare provision. In accordance with Policy CS6 and the Greening Blackpool SPD, however, it would be liable for tree provision.
- 7.2.2 The Greening Blackpool SPD requires replacement planting at a rate of 2 for 1 for any category A, B or C trees lost as a result of development. The scheme would require the

removal of 4 category C trees and 6 category U trees. This would generate a requirement for 8 replacement trees. The scheme would propose some 5,861sqm gross floorspace. Under the Greening Blackpool SPD, this would require provision of 59 new trees at a rate of 1 tree per 100sqm. The scheme proposes provision of 51 new trees leaving a shortfall of 16 trees. However, the SPD does make it clear that tree provision can be negotiated for schemes of this nature where other greening measures such as the provision of green roofs or walls or sustainable urban drainage systems linked to green infrastructure are proposed. An assessment of the measures proposed and the acceptability of them with regard to the tree shortfall is set out under the Green Infrastructure below. Any obligations that are not met on site would be translated into a financial contribution in lieu and secured either through a S106 legal agreement or planning obligation proforma.

7.3 Amenity

- 7.3.1 The development would be three-storeys in height or around 15.3m. The residential properties surrounding the site, with the exception of an off-set block and a block that presents a blank side elevation, are all two-storeys in height. The proposed Courts building would sit at least 45m away from the closest habitable room windows to residential properties and so no issues relating to potential loss of privacy or overshadowing are anticipated.
- 7.3.2 No noise assessment has been submitted with the proposal but the only likely sources of noise would be plant sited on the roof and vehicular traffic. Given the separation distances involved, noise from plant is not expected to be problematic. The stated hours of operation of the site are 0700-1900 Monday to Friday. Both Devonshire Road and Talbot Road are busy main roads that are heavily trafficked, included by buses. It is not anticipated that the large police transporter vehicles that would visit the site would cause undue noise disturbance against this context. Likewise car traffic associated with the use would not be expected to have an unacceptable impact upon resident amenity. No issues relating to odour would be expected.

7.4 Visual impact

- 7.4.1 The site is not in a visually sensitive location in terms of landscape or townscape character. It is, however, in a very prominent position on a Key Resort Gateway and on a very busy junction between two main local distributor routes. As such, it is essential that any redevelopment be of a high standard of design.
- 7.4.2 The scheme has been the subject of extensive pre-application advice and this has proven hugely beneficial. Initially a rather blocky building was proposed which primarily addressed the corner of Talbot and Devonshire Roads. As this is primarily a road traffic junction rather than a public square, this relationship was not considered to be appropriate. Instead, as Talbot Road is a Key Resort Gateway, and as it leads on to Talbot Gateway and the main Town Centre, it was judged that the scheme should primarily front onto Talbot Road.
- 7.4.3 The building now proposed is unashamedly contemporary in design, albeit with materials selected to reference the surrounding built form. The Talbot Road frontage would comprise two end blocks with a recessed central section. The Devonshire Road frontage would see a more staggered and angled elevation of different elements, although the visual focus would again be the three-storey block on the corner. This increase in height up to a corner is a standard architectural practice to give prominence and would work well in this case. The separation distances to the nearby, traditional two-storey dwellings would be sufficient to

prevent any jarring visual impact arising from the difference in height.

- 7.4.4 Some concern was raised over the potential boxy appearance of the corner blocks, and the expanses of brickwork. This has been effectively resolved through provision of recessed channels to demark the floor levels. This simple amendment would have a significant visual impact by introducing interest and a human scale and making the building more legible. The use of a red brick on the corner sections would match the existing heritage wall and create visual focus points. It would also make sympathetic reference to the dominant building material in the wider area. These red brick sections would be balanced by sections clad in a buff panel. Recessed glazing strips with dark grey panels over the floor plates would successfully break up the building and provide visual depth and texture. Use of glazing, particularly over the Talbot Road frontage would ensure a modern appearance and also effectively break up the massing.
- 7.4.5 Plant is proposed at roof level although this would be screened to minimise visual impact. The decision has been made to route one duct along the Devonshire Road frontage outside of the screening. The alternative would be to erect the screening on the very edge of the roof. Neither situation is ideal but it is not possible to position the duct elsewhere. On balance, a visible duct finished in powder coating to match the screening is considered to be the best option.
- 7.4.6 Given the buildings prominence and the amount of open space around it, each elevation would be visible. As a result, each elevation has been designed to an appropriately high standard. Again on both the western and southern elevations, a range of materials and/or a staggered building line would provide visual interest and depth. Overall, the building is considered to achieve a high standard of design.
- 7.4.7 Particular consideration has been given to the design of the access points. Both main pedestrian access points along the Talbot Gateway frontage would use planters between the sections of ramp to create an engaging and attractive arrival experience. Landscaping is proposed around the main entrances and grasscrete would be used in the parking areas to create an overall feeling of a green space. The extent of landscaping would be reasonable extensive and it would create an effective visual buffer to the built development.
- 7.4.8 Policy DM25 of Part 2 requires provision of public art. To this end, an inscribed strip of text would be installed around the base of the building and a green moss wall would be provided within the reception area. Both would be designed in association with a local artist and final details could be secured through condition. The existing boundary treatment would be largely retained and the materials to be used on the main building would reflect the appearance of this locally-listed heritage asset. Full details of materials, surfacing and boundary treatments could be secured through condition.
- 7.4.9 Overall the scheme has been designed to a high standard. It would present a landmark feature on this prominent site and bring the land back into beneficial public use. This weighs notably in favour of the application.

7.5 Heritage impact

- 7.5.1 As above, the site is not visually sensitive. The top of Blackpool Tower is visible in the far distance, but this is true of many sites across the town. The site does not form a significant part of the setting. Likewise, the site is not considered to form part of the setting of the Town Centre Conservation Area or any other Listed Buildings. The existing boundary wall

around the site and the former tram shelter set within it are, however, locally listed.

- 7.5.2 The NPPF is clear that the effect of a proposal on the significance of a non-designated heritage asset must be taken into account when determining the application, and that a balanced judgement is required having regard to the scale of harm or loss and the significance of the asset.
- 7.5.3 It is understood that the former Devonshire Road hospital developed in three main phases. The original sanatorium, constructed to isolate cases of infectious disease, was developed in 1890 and had its main entrance on the corner of Talbot Road and Devonshire Road. Additional development followed in 1906 and the boundary wall with railings over along Talbot Road and Coleridge Road is thought to date from this time. In 1929 further development took place on the site including the provision of the boundary wall with rendered panels along the Devonshire Road frontage. It is likely that the former tram shelter on Talbot Road was replaced or enlarged at this time, although it is noted that it existed in some form in 1911.
- 7.5.4 At present there are vehicular and pedestrian access points in the Devonshire Road frontage and a vehicular access in the Talbot Road frontage. The existing vehicular access point on Devonshire Road would have to be widened and deepened to support access/egress by Prisoner Escort and Custody Services (PECS) vehicles and prevent potential impact on traffic flow. This would be achieved by replicating adjacent panels in the existing wall. The pedestrian gate would also need to be relocated to ensure that use of the refuse store would not compromise site security or highway safety (through the position of a parked wagon). To ensure necessary site security, the height of the wall along the boundary of the secure car park would have to be raised. Matching materials would be used as far as possible and this could be secured through condition.
- 7.5.5 On Talbot Road a significant stretch of original wall would be removed to create the vehicle access into the site. The existing vehicle access would also be widened to give access to pedestrian stairs and an accessibility ramp up to the Courthouse. The loss of original boundary wall is unfortunate but is considered to be unavoidable. New sections of wall curving into the site along the radii of the access road would be constructed to match what is existing and matching materials could be secured as far as is possible through condition.
- 7.5.6 On Coleridge Road the existing vehicular access point would be blocked up. The gateposts here are not original and so the Council's Built Heritage Manager has confirmed that the best solution would be to continue the existing wall and railings across. Again a condition would ensure that matching materials are used as far as is possible. The existing dropped kerbs would also be removed and the pavement reinstated across.
- 7.5.7 In total, some 50m of wall would be removed but around 27m would be recreated using original bricks insofar as is possible. Approximately 42m of wall along Devonshire Road would be raised in height to ensure appropriate site security. Again, suitable material and profile details could be agreed through condition.
- 7.5.8 The former tram shelter would be retained but the rear wall and benches would be removed. A new dwarf wall within railings over to match those on either side would be constructed in place of the rear wall to enable views through whilst maintaining a secure boundary. This would safeguard the fundamental character of the shelter whilst limiting potential for anti-social behaviour which has been known to be an issue.

- 5.7.9 Overall the alterations to the locally listed wall as proposed are considered to be necessary to enable the development to proceed. Significant stretches of original wall, which is considered to have relatively low heritage significance, would be retained. On this basis, given the clear public benefits of the wider scheme, the heritage impacts can be accepted.

7.6 Access, highway impact and parking

Access

- 7.6.1 There has been significant discussion between the applicant and the Council as Local Highway Authority since the initial request for pre-application advice. The scope of the necessary Transport Assessment (TA) was agreed in detail prior to submission and particular consideration given to parking provision, means of access and the potential impact on the adjacent signal junction at the crossroads of Talbot Road and Devonshire Road.
- 7.6.2 The primary access to the site would be from Talbot Road via a standard priority junction. The existing pedestrian island would be repositioned further to the west with a right-turn lane created behind to give access into the site. The existing left-turn lane into Coopers Way would be retained. Traffic travelling east would then be split into three lanes dependent upon their direction of onward travel as is the case at present.
- 7.6.3 The secondary access into the site would be from the existing access on Devonshire Road. All Court sites require two access/egress points to enable evacuation in the event that one route is blocked. It is envisaged that this secondary access point would be used in emergency situations only.
- 7.6.4 The existing access to the site from Coleridge Road would be stopped up and the pavement reinstated.
- 7.6.5 These access points have been considered by the Council as Local Highway Authority and are considered to be acceptable. Full details can be secured through condition. Traffic coming in from Talbot Road would arrive at a mini-roundabout towards the rear of the site. This would give access to a secure car park to the right, a public car park to the left, and a substation with some additional parking on the southern boundary. Again this arrangement is considered to be acceptable.

Highway impact

- 7.6.6 As stated, the scope of the TA was agreed prior to submission and the conclusions of the document provided are accepted. It is accepted that queues are already experienced at this junction, particularly for traffic travelling northbound, and that they vary considerably and can be significant during unusual peak flows. Nevertheless, the analysis demonstrates that the road would not make a material difference to the amount of traffic or congestion at the adjacent signal junction. Members are respectfully reminded that new developments can only be required to deliver highway improvement works that are reasonably necessary to mitigate the impact of that development.

Parking

- 7.6.7 The Council's adopted parking standards are set out in Local Plan Part 2. These published standards stipulate that law court developments should provide car parking at a rate of 1 space per 10sqm floorspace. As the development proposed would provide some 5,861sqm

gross floorspace, this would generate a requirement for 586 car parking spaces. For comparison, Houndshill car park offers 770 spaces, Banks Street car park 230 and West Street car park 177. The level of parking required by the Local Plan in this case, therefore, would be disproportionate and unjustified.

- 7.6.8 As above, two main areas of parking are proposed. One would be a secure car park of 51 spaces directly behind the Courthouse. This would include six electric vehicle (EV) charging spaces and four accessibility spaces. This parking would be intended for use by Court staff. A secure gate would be installed on the eastern arm of the mini-roundabout to control access. This would be the main point of both access and egress but this area of secure parking would also have direct access to the secondary access/egress onto Devonshire Road. This secure parking area would also include the van dock where police transporter vehicles would stop within the secure garage that would provide Prisoner Escort and Custody Services (PECS) parking.
- 7.6.9 The scheme would also provide 44 public car parking spaces. The majority of these would be provided in the south-western corner of the site. A further three EV charging spaces would be provided in a small area at the rear of the site with four accessibility spaces against the western elevation of the Courthouse.
- 7.6.10 Given the acknowledged issue with the Council's published parking standard, consideration has been given to travel surveys at the existing Courthouse and information provided by HMCTS from other sites to determine likely parking demand. It must be noted that the site is in a reasonably accessible location on multiple bus routes and within relatively easy walking distance of Blackpool North train station. Overall, the analysis of likely parking demand is considered to be robust and detailed and it is accepted that the demand generated would be met by the level parking proposed.
- 7.6.11 Management of the public car parking is a key concern. If the parking is not charged for it would become a convenient option for general users of the wider area who are not accessing the Court facilities. If an excessive charge or restriction is levied, this would be likely to increase pressure on local on-street parking to the detriment of local community amenity. In any event, Traffic Regulation Orders (TRO) may be required on streets in the immediate locality to manage on-street parking. In addition, a TRO would be needed on Talbot Road to introduce a waiting restriction. It is anticipated that Blackpool Council would retain control over this part of the site, deliver and manage the public car parking proposed. From a planning perspective, as long as sufficient parking is provided to meet the demands generated, the identity of the party providing or managing the car parking is not a material consideration. Assuming that an appropriate arrangement can be reached between HMCTS and the Council's Estates and Parking Services departments, it is considered that the parking provision could be adequately managed to avoid inconvenience to local residents. However, a condition is proposed to ensure that an appropriate mechanism is agreed.
- 7.6.12 Part 2 of the Local Plan specifies that motorcycle parking at a rate of one space for every twenty-five car parking spaces should be provided. For this development, this would equate to provision of four spaces. Two motorcycle spaces are shown at the rear of the site opposite the sub-station in the public parking area, and a further two are shown within the secure staff parking area. This provision is considered acceptable. Accessibility spaces should be provided at a rate of 10% of the total, and at least 10% of parking provision should be equipped with EV charging facilities. Four accessibility spaces would be provided alongside the building meeting the requirement for the public parking, and five spaces (three of which would be EV equipped) would be provided in the secure parking area. Only three EV spaces

are proposed for general public use but nine spaces are proposed within the staff area. As visitors to the Courthouse are less likely to require charging provision than staff, this level of provision is considered to be acceptable. The parking would be secured through condition.

- 7.6.13 Cycle storage equivalent to 10% parking provision is required. At the front of the building, fourteen Sheffield style stands are proposed. A further cycle shelter is proposed to the east of the Courthouse providing another 16 spaces and five, lockable, long-term spaces. A cycle shelter for staff use is shown to the rear and this would provide 16 spaces. This level of provision would meet Local Plan requirements and is considered to be acceptable. A Travel Plan has been submitted and is considered to be broadly acceptable.

7.7 Drainage and flood risk

- 7.7.1 The application site falls within flood zone 1 but the site area exceeds 1ha. In addition there is an area at high risk of surface-water flooding in the south-east corner. As such a site-specific flood risk assessment (FRA) has been provided but there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. The FRA has been considered by the Council as Lead Local Flood Authority and has been found to be acceptable.
- 7.7.2 To maximise sustainability and minimise pressure on the existing combined sewer network, all new developments should follow the standard drainage hierarchy. Under this system, surface-water should discharge via soakaway. Only if this is not possible should discharge to a watercourse, surface-water sewer or combined sewer then be considered in that order. United Utilities (UU) has advised that the information submitted is insufficient to demonstrate that the more sustainable options within the hierarchy must be discounted. Consequently UU request that the standard drainage condition be imposed requiring submission of full information and agreement of a detailed drainage strategy prior to commencement. The Council's drainage officer has confirmed that there are no watercourses or surface-water sewers in the area, effectively making discharge to the combined sewer the only option as infiltration is unlikely to be possible. It is noted that a discharge rate of 4.4 litres per second is proposed along with storage and permeable paving. Nevertheless it is agreed that the standard condition to require submission of full details is required. Conditions to require foul and surface water to be drained separately and to require agreement of future drainage system management would also be imposed as standard.
- 7.7.3 United Utilities has raised objection to the scheme on the basis that part of the development would encroach on a UU water main. Whilst this should not necessarily prevent the grant of planning permission, such a permission could be abortive as UU would not then permit development over their assets. The options for the developer are either to relocate the proposed refuse store or pay to divert the UU asset. The refuse store has since been relocated and UU have been reconsulted. Any response received in advance of the Committee meeting will be reported through the update note. Regardless, this matter would not be considered justification for the refusal of planning permission.

7.8 Ecology and green infrastructure

- 7.8.1 As this application was received in 2023, the formal requirements for delivery of 10% biodiversity net gain (BNG) as set out in the Environment Act 2021 do not apply. Nevertheless, Policies CS6 and DM35 of the Local Plan and the Council's Greening Blackpool

SPD require all new developments to deliver BNG. In addition, the Council's Greening Blackpool SPD would require the provision of one tree for every 1,000sqm floorspace created. For this development of 5,861sqm gross floorspace, this would equate to a requirement for 59 trees.

- 7.8.2 The application has been considered by Greater Manchester Ecology Unit (GMEU) and the Council's Parks Officer. Overall the site is of low ecological value. It is not anticipated that any protected species would be affected as a result of the development. It is suggested that the landscaping proposals would deliver some 46% BNG for area habitats and 11.5% BNG for linear habitats. No detailed information has been provided to substantiate this but it is accepted that these details could be agreed through condition. The scheme would therefore deliver an acceptable level of biodiversity net gain.
- 7.8.3 The scheme currently proposes 51 trees. This falls short of the 67 trees required (8 replacement and 59 as a result of the new floorspace). However, some 960sqm of green/blue roof is proposed as part of the application. This roof would comprise a number of layers, the top layer being vegetation. This would sit atop a layer of substrate. Below this would be a filtration layer and a drainage board. These layers would filter water that would then be held in attenuation cells for managed discharge. This arrangement would not only deliver biodiversity and green infrastructure benefits, it would assist in sustainable surface-water management. Details would need to be secured through condition, but it is envisaged that this green/blue roof could support wildflower or species rich grassland planting. Furthermore, aside from maintenance this installation would provide undisturbed habitat. On balance, this in addition to the rest of the landscaping proposed is considered to be sufficient to compensate for the lack of 16 trees.

7.9 Environmental Quality

- 7.9.1 The site sits some 650m east of a designated Air Quality Management Area (AQMA) that has been declared in respect of nitrogen dioxide pollution associated with traffic congestion. The submitted Environmental Technical Note states that the submitted transport information would specify suitable measures to mitigate against any potential significant effects. This information has been considered by the Council as Local Highway Authority and it has been confirmed that the proposal would have negligible/limited impact on traffic generation when considered against background levels. The Head of Environmental Protection has confirmed that, as a result, the development once operational would not have an unacceptable impact on air quality or unduly compromise the objectives of the AQMA. It is equally accepted that traffic generated through the construction period would be limited and would not have a significant impact on air quality, and that dust could be effectively managed through agreement of a Construction Management Plan.
- 7.9.2 It is considered that water quality could effectively be safeguarded through agreement of an appropriate drainage strategy and Construction Management Plan by condition.
- 7.9.3 A ground investigation report into potential land contamination has been submitted. This has been considered by the Head of Environmental Protection. The conclusions are agreed and no further works are required.
- 7.9.4 Policy CS10 of Part 1 expects all non-residential developments of more than 1,000sqm to achieve a BREEAM rating of 'very good'. A BREEAM pre-assessment report has been submitted which concludes that the development has the potential to achieve a rating of 'outstanding'. If this potential is realised it would be a very positive attribute of the

development. However, given the more limited policy expectation, it would be unreasonable to impose a condition requiring an 'outstanding' accreditation. Consequently the standard condition requiring a demonstration that a BREEAM rating of 'very good' has been achieved is recommended.

7.10 Other Issues

- 7.10.1 Policy DM18 of Part 2 requires development to provide the infrastructure required for full fibre broadband connection. Two separate fibre ducts are proposed to serve the Courthouse and sufficient plant space is proposed to accommodate full fibre broadband connection. As such the scheme would comply with this policy requirement.
- 7.10.2 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).
- 7.10.3 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.
- 7.10.4 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.

7.11 Sustainability and planning balance appraisal

- 7.11.1 Sustainability comprises economic, environmental and social components.
- 7.11.2 Economically the scheme would generate employment during both the construction and operational phases, although many of the long-term jobs will be relocated from the current site. The new location of the Courthouse may help to support local shops and services. Overall, the development is anticipated to have a limited economic impact of itself and within the immediate area. However, its relocation would unlock the Leisure Quarter site and facilitate comprehensive redevelopment of a key Resort Core site to deliver significant regeneration. This is a key economic benefit.
- 7.11.3 Environmentally, the site is in an accessible location and there is no reason to support that it would generate increased reliance on private car use. Drainage would be adequately managed and appropriate biodiversity net gain would be delivered. The building is anticipated to achieve a BREEAM 'outstanding' rating and a number of sustainable and greening measures are proposed. Visually, the development would be of a high standard of design and would be well landscaped. No issues relating to environmental quality are expected. As such the scheme would have a positive environmental impact.
- 7.11.4 Socially, the scheme would have no unacceptable impacts on residential amenity, flood risk or highway safety. Potential impacts on the function of the highway network and local parking could be effectively managed. The significance and value of the existing locally-listed

boundary wall as a heritage asset would be suitably sustained. The redevelopment of the site would have a beneficial impact upon a Key Resort Gateway and also the TABINI area which is a regeneration focus.

- 7.11.5 In terms of planning balance, the development proposed is considered to clearly constitute sustainable development. No other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 If the Council operated the car park proposed to serve the Courthouse then it would receive parking receipt revenue. However, this is not a planning consideration and carries no weight whatsoever in the planning balance.

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 would accord with both priorities. In terms of the first it would release the land at the Leisure Quarter to allow for the comprehensive redevelopment of the site in the interests of resort regeneration. In terms of the second it would create a modern, fit-for-purpose Courthouse in an accessible location to meet the needs of the borough. The redevelopment of the long-vacant former-hospital site, and the provision of a high-quality new building on a Key Resort Gateway on the edge of one of the town's most deprived neighbourhoods, would contribute towards both priorities.

10.0 CONCLUSION

- 10.1 The scheme would constitute sustainable development delivering clear visual, regeneration and community benefits, along with a range of beneficial biodiversity and sustainability measures. No material considerations have been identified that would weigh against the application. As such, planning permission should be granted.

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:

- XXXXXX-3234-FMW-BCC-XX-DR-A-0099-S2-5-D0100-Location Plan

- XXXXXX-3234-FMW-BCC-XX-DR-A-1100-D2-24-D0100-Proposed Site Plan
- XXXXXX-3234-FMW-BCC-00-DR-A-1250-D2-6-D0100-Planning - Ground Floor Plan
- XXXXXX-3234-FMW-BCC-01-DR-A-1251-D2-6-D0100-Planning - First Floor Plan
- XXXXXX-3234-FMW-BCC-02-DR-A-1252-D2-6-D0100-Planning - Second Floor Plan
- XXXXXX-3234-FMW-BCC-RF-DR-A-1253-D2-5-D0100-Planning - Roof Plan
- XXXXXX-3234-FMW-BCC-ZZ-DR-A-1302-D2-6-D0100-Section A-A – Proposed
- XXXXXX-3234-FMW-BCC-ZZ-DR-A-1303-D2-6-D0100-Section B-B – Proposed
- XXXXXX-3234-FMW-BCC-ZZ-DR-A-1400-D2-7-D0100-Proposed Elevation North & East
- XXXXXX-3234-FMW-BCC-ZZ-DR-A-1401-D2-7-D0100-Proposed Elevation South & West
- XXXXXX-3234-FMW-BCC-ZZ-DR-A-1402-D2-2-D0100-Proposed Street Elevation - Talbot Road
- XXXXXX-3234-FMW-BCC-ZZ-DR-A-1403-D2-2-D0100-Proposed Street Elevation - Devonshire Road
- XXXXXX-3234-FMW-BCC-ZZ-DR-A-1405-D2-2-D0100-Boundary Fence Alterations - Devonshire Rd
- XXXXXX-3234-FMW-BCC-ZZ-DR-A-1406-D2-2-D0100-Boundary Fence Alterations - Talbot Rd

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the premises shall be used as a law court only and for no other purpose.

Reason: In order for the Local Planning Authority to retain long-term control over the use of the building to ensure that the use is appropriate to the location and adequately served by parking, public transport provision and other public services and provisions that may be necessary, in accordance with the general provisions of Policies CS1, CS5, CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM36 and DM41 of the Blackpool Local Plan 2001-2016.

- 4 The external materials to be used on the development hereby approved shall be as specified on the following unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction:

XXXXXX-3234-FMW-BCC-ZZ-DR-A-1400-D2-7-D0100-Proposed Elevation North & East
 XXXXXX-3234-FMW-BCC-ZZ-DR-A-1401-D2-7-D0100-Proposed Elevation South & West
 XXXXXX-3234-FMW-BCC-XX-SH-A-0010-S2-04-B1200 Material Schedule

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 5 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 streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 6 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 Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

Note: where the existing vehicle access/egress point on Coleridge Road it to be removed, the existing wall and fence shall be carried across in materials and form to match to replace the existing gates.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no demolition or alteration of the existing boundary treatment around the perimeter of the site, other than that allowed through this permission, shall be carried out without the prior written agreement of the Local Planning Authority.

Reason: The existing wall is Locally Listed and so this condition is required to safeguard the appearance, character and conservation value of this non-designated heritage asset in accordance with the provisions of Policy CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM28 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 9 No bins or refuse shall be stored outside of the building or designated refuse store hereby approved other than on the day of presentation for collection.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 10 Prior to the installation of any external lighting, details of the lighting shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these approved details. For the purpose of this condition, the details shall include the form, design, materials and technical specification of the lighting and a lux plan to show the resulting area of light-spill.

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 Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 11 The flat roofed section of the building shall not be used for any purpose other than for maintenance or as a means of escape in the event of an emergency.

Reason: In order to safeguard the amenities of nearby residents and safeguard the biodiversity provided by the green and blue roofing system in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21, DM35 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 12 The development hereby approved shall proceed in full accordance with the recommendations set out in the Mott Macdonald Ground Investigation Report dated October 2023 revision P02 ref. XXXXXX-3234-MMD-BCC-XX-RP-G-0003.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with the provisions of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This information is required to be submitted and agreed prior to commencement in order to ensure that the development hereby approved proceeds safely.

- 13 No trees or hedgerows shall be felled or cleared during the main bird nesting season (March to September inclusive) unless written confirmation of the absence of nesting birds by a suitably qualified and experienced ecologist has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 14 (a) Prior to the first occupation or use of the development hereby approved, a landscaping scheme, to include the green and blue roof, shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include a full planting schedule detailing plant species and initial plant sizes, numbers and densities;
- (b) The landscaping scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details either prior to occupation or within the first planting season following first occupation; and
- (c) Any trees or plants planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within 7 years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped in the interests of biodiversity and visual amenity, and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with Policies CS6, CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 15 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following:

- (i) Risk assessment of potentially damaging construction activities;
- (ii) Identification of "biodiversity protection zones";
- (iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- (iv) The location and timing of sensitive works to avoid harm to biodiversity features;
- (v) The times during construction when specialist ecologists need to be present on site to oversee works;
- (vi) Responsible persons and lines of communication
- (vii) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- (viii) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that biodiversity on the site is appropriately protected in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

16 A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:

- (i) Description and evaluation of features to be managed;
- (ii) Ecological trends and constraints on site that might influence management;
- (iii) Aims and objectives of management;
- (iv) Appropriate management options for achieving aims and objectives.
- (v) Prescriptions for management actions.
- (vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- (vii) Details of the body or organization responsible for implementation of the plan.
- (viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that biodiversity on the site is appropriately protected in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

17 (a) Prior to the commencement of any development on site, a tree and hedgerow protection plan shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these approved details.

For the purpose of this condition, this protection plan shall:

- (i) identify the trees and hedgerows to be retained on or adjacent to the site;
- (ii) detail the position, height and format of protective fencing to be erected around the trees/hedgerows to be retained; and
- (iii) confirm that no excavation, materials storage, waste disposal or other activities shall take place within the fenced-off area.

(b) The protective fencing agreed pursuant to part (a) of this condition shall remain in place for the duration of the site preparation and demolition and/or construction period.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees and/or hedgerows growing within or adjacent to the site which are of amenity value to the area, in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

18 (a) 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.

(b) The scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details prior to first use and shall thereafter be retained and maintained as such.

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

- Provision to bolster existing tree and hedgerows with native species
- Provision of bird and bat boxes
- Features to facilitate roaming of small mammals
- Habitat provision for small mammals such as hedgehog houses
- Provision of dead wood piles or 'bug hotels' to provide habitats to insects
- Retention and management of dead wood on site to provide habitat
- Explanation board visible within a public area of the building to explain the biodiversity enhancement measures provided around the site for public education purposes

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 Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

19 The following measures shall be adhered to throughout the demolition/construction period of the development hereby approved:

- all materials will be covered and stored on raised pallets only
- means of escape for amphibians and small mammals shall be provided from any excavation (i.e. solid plank providing access from the base of the excavation to ground level)
- construction and storage areas to be inspected at the start of each working day for amphibians and small mammals
- in the event that a protected species is found on site, works should immediately cease and a suitably qualified and experienced ecologist consulted
- any non-protected species found on site should be carefully removed and placed under cover on the other side of the site boundary.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

20 (a) Before the development hereby approved is first brought into use, a Post Construction Stage BREEAM assessment and BREEAM rating certificate demonstrating that the development has achieved BREEAM 'very good' standard shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The development shall thereafter proceed and be operated in full accordance with the approved BREEA assessments and 'very good' certification.

Reason: In order to maximise the environmental sustainability of the development and limit the potential impact of the proposal on climate change in accordance with the provisions of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 21 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.

- 22 (a) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include 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 and interconnection of all watercourses and surface-water sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;

(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), 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 AOD;

(iv) A demonstration that the surface water run-off would not exceed the equivalent greenfield rate or a rate 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 culverts and headwalls or removal of unused culverts where relevant);

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

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

(viii) Details of water quality controls, where applicable.

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

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

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This information must be agreed prior to the commencement of development in order to ensure appropriate drainage of the site as the development proceeds.

- 23 Prior to the 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) 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) operation 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;
- c) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

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 and Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This information must be agreed prior to the commencement of development in order to ensure appropriate drainage of the site as the development proceeds.

- 24 Notwithstanding the information shown on the approved plan and prior to the commencement of development on site other than associated works to the existing boundary wall:

- (a) full technical details of the access points into the site shall be submitted to and agreed in writing by the Local Planning Authority; and
- (b) the agreed access points shall be provided in full and in full accordance with the approved details.

Reason: In order to ensure safe access to and egress from the site is available in the interests of highway safety in accordance with the provisions of Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 25 Prior to the commencement of any above ground construction a scheme of off-site highway improvement 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 but not be limited to:

- provision/upgrade of nearest 2no. bus shelters (one westbound, one eastbound)
- relocation of pedestrian crossing island
- reconfiguration of turning lanes
- provision of road markings
- provision of street-lighting
- provision of on-street waiting restrictions
- extension of the existing footpath on Coleridge Road to close existing vehicle access point

Reason: In the interests of highway safety in accordance with Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. 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.

- 26 The Devonshire Road vehicular access/egress point to the site shall only be used in emergency situations when the Talbot Road vehicular access/egress point is unavailable for use.

Reason: In the interests of highway safety in accordance with Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. 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.

- 27 (a) Prior to the development hereby approved being first brought into use, the parking provision and associated markings (including accessibility spaces) shown on the approved plan(s) shall be provided and shall thereafter be retained and maintained as such.

(b) Prior to the development hereby approved being first brought into use, the EV (electric vehicle) spaces and associated markings shown on the approved plan(s) shall be equipped with charging facilities providing a minimum of 7kW output and shall thereafter be retained and maintained as such.

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development in the interests of the appearance of the area and highway safety in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 28 Prior to the development hereby approved being first brought into use, a Parking Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The development hereby approved shall thereafter operate in full accordance with this agreed Parking Management Plan.

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development and avoid undue pressure on local on-street parking provision, in the interests of the appearance of the area and highway safety and to avoid detriment to local community amenity, in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

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

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

The cycle storage shall thereafter be retained and maintained as such.

Reason: In order to encourage travel to and from the site by a sustainable transport mode in accordance with Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

30 The development hereby approved shall proceed and be operated in full accordance with the Framework Travel Plan produced by Mott MacDonald and dated February 2024.

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

31 (a) Prior to the commencement of any development on site, a Demolition/Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the Demolition/Construction Management Plan shall specify the provision to be made for the following:

(i) measures to prevent detrimental impact on air quality including confirmation that no materials would be burned on site and dust mitigation measures to be followed during the demolition/construction period

(ii) measures to control noise emanating from the site during the demolition/construction period

(iii) hours and days of demolition/construction work for the development. Please note that typically acceptable working hours are 0800-1800 Mondays to Fridays and 0800-1200 on Saturdays with no working on Sundays or Public Holidays

- (iv) details of contractors' compounds and other storage arrangements, to include position, means of screening, storage heights, details of enclosures, and appearance of any structures or cabins
- (v) provision for all site operative, visitor and construction loading, off-loading, parking and turning within the site during the demolition/construction period including all requirements for occupation of areas of highway
- (vi) arrangements for the provision of wheel washing facilities comprising a 10m x 3.5m wheel wash with two 6m long ramps to be operated during the demolition/construction period to minimise the deposit of mud and debris on the adjacent highways
- (vii) provision of a board at the entrance to the site, to be retained throughout the construction period, to include 24hr contact details for site management; and provision of contact details for the contractor's street sweeping subcontractor with specific authorisation for the Council as Local Highway Authority to call out that contractor as and when required
- (viii) measures to prevent contamination of surface and sub-surface water bodies during the demolition/construction period, and prevent the runoff of surface water to the highway in storm conditions during construction
- (ix) routeing of construction traffic
- (x) a condition survey of the adopted public highway up to the first junction with the strategic road network along the proposed construction traffic route, or other area as may first be agreed in writing with the Local Highway Authority, along with a construction stage timeline proposal for the provision further condition surveys (either post-completion or to include surveys at appropriate intervals depending upon the duration of the construction period)

(b) The demolition/construction of the development shall thereafter proceed in full accordance with the approved Demolition/Construction Management Plan.

(c) Each condition survey required pursuant to part (a)(x) of this condition shall be accompanied by a scheme and timing schedule of any works as may be appropriate to rectify any dilapidation caused to the adopted public highway as a result of demolition and construction works related to the development hereby approved, to be agreed in writing by the Local Planning Authority. These works shall then be carried out in full in accordance with this agreed scheme and schedule.

Please note, **the submission of a standard Health and Safety statement will not be sufficient to discharge this condition.** As part of any discharge of condition application you will be expected to highlight the location of each element of information required above within your submission.

Reason: In the interests of the amenities of surrounding residents and to safeguard environmental quality and the character and appearance of the area in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31 and DN36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This condition is required to be discharged prior to commencement in

order to ensure that the development proceeds without causing undue harm to residential amenity, highway safety or the quality of the environment.

- 32 At least 14 days before commencement of the development, the developer must email safeguarding@blackpoolairport.com if any equipment to be used during construction will exceed the maximum height of the finished development (e.g. tower cranes, piling rigs).

Notification of the equipment shall be made on the standard Crane Permit request form available on the Blackpool Airport website and include:

- its position (OSGB grid coordinates to 6 figures each of Eastings and Northings);
- height above ordnance datum;
- anticipated dates on site;
- emergency contact numbers for the crane operator and site manager

The equipment must be operated in accordance with BS 7121 and further advice can be found in Airport Operators Association Advice Note 4 'Cranes'.

Reason: In order to ensure that the development hereby approved does not compromise airport safeguarding in accordance with the provisions of Policy DM42 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 33 The development hereby approved shall proceed in full accordance with the broadband provision statement on page 26 (under section 6.11) of the Planning Statement recorded as received by the Council on 20 Oct 2023.

Reason: In order to ensure that the development is served by high-speed broadband in accordance with the provisions of Policy DM18 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 34 (a) Notwithstanding the information provided and prior to the commencement of above ground construction, a scheme for the provision of public art shall be submitted to and agreed in writing by the Local Planning Authority.

(b) Prior to the development hereby approved being first brought into use, the Public Art approved pursuant to part (a) of this condition shall be provided in full and in full accordance with the approved details.

Reason: In order to ensure that the development contributes to the provision of public art in accordance with Policy DM25 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 35 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no erection of structures, enlargement of the building the subject of this permission or laying down of hard-standing shall be carried out without the prior written approval of the Local Planning Authority.

Reason: In the interests of the appearance of the site and locality and to safeguard approved areas of landscaping and parking in order to meet the needs of the development in

accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM21 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

ADVICE NOTES TO DEVELOPERS

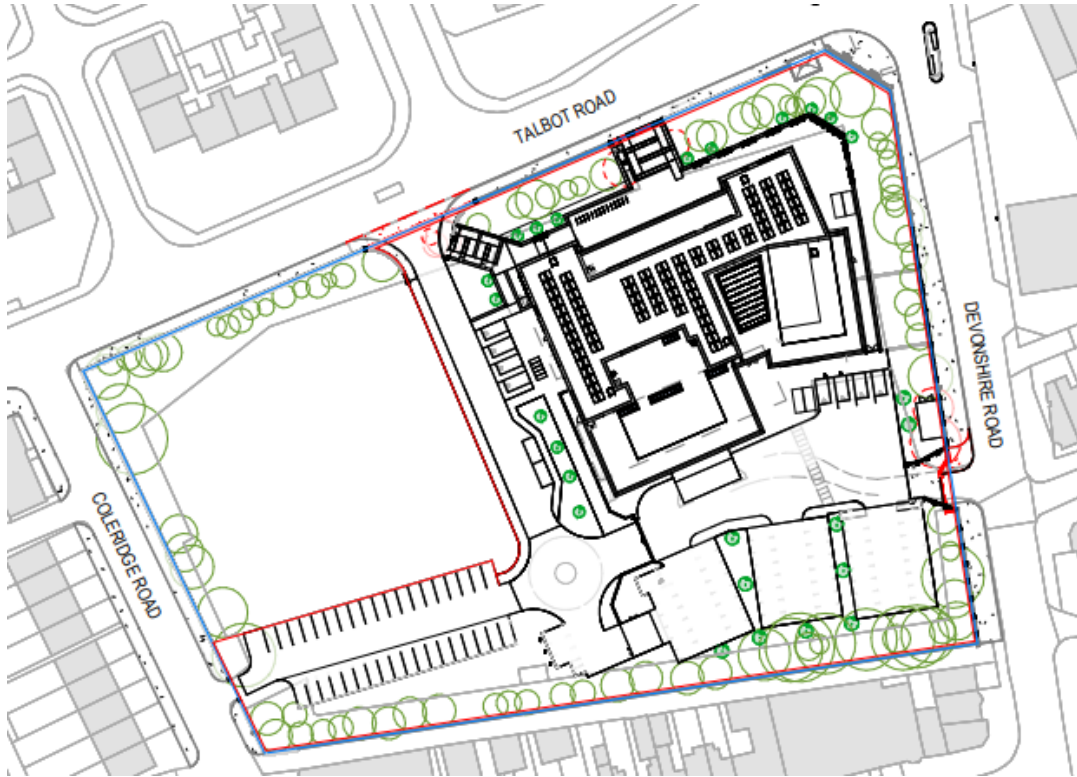
1. Suggested appropriate wording for the information board required by condition 18:

The retention of ageing trees and deadwood is important for biodiversity because they provide valuable habitat for various species, including birds, insects, and mammals. Deadwood, for example, is home to various insects, including beetles, and provides a food source for woodpeckers. Ageing trees can also provide nesting sites for birds and bats, and their decaying wood provides nutrients for other plants and animals. By retaining ageing trees and deadwood, we can help to maintain a healthy and diverse ecosystem, which is essential for the long-term sustainability of our environment.

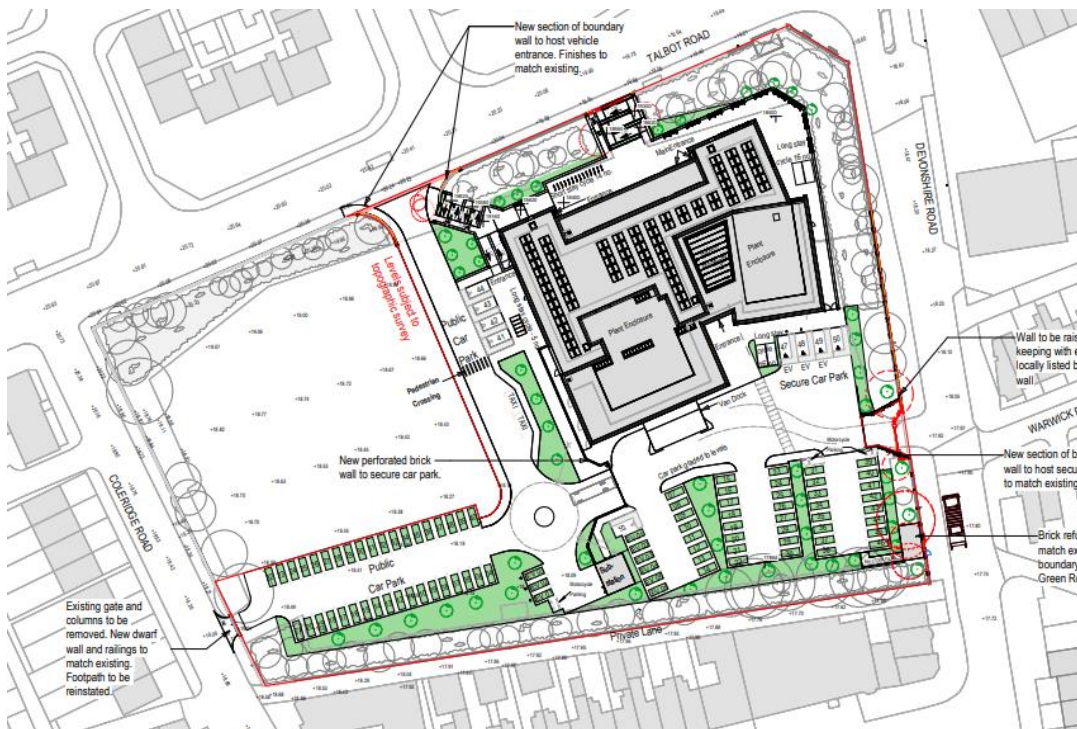
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Appendix 10a: 23/0777 – Courts – plans

Location plan:



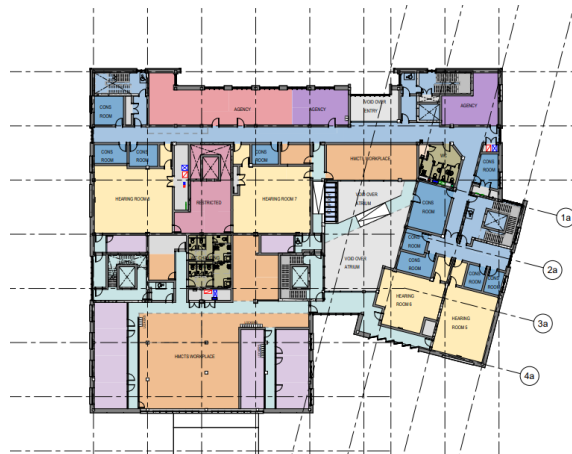
Proposed site layout plan:



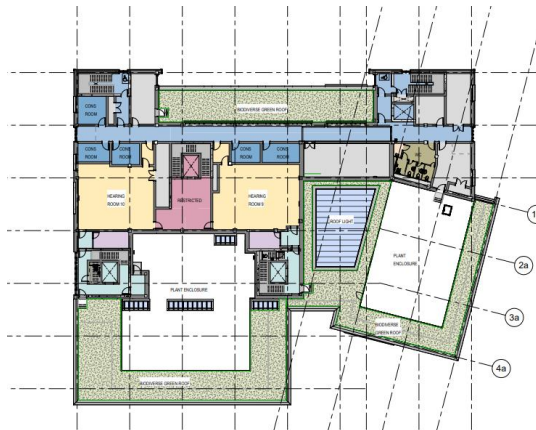
Ground floor plan:



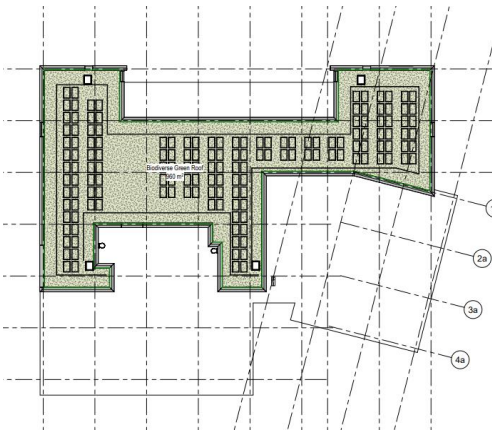
First floor plan:



Second floor plan:



Roof plan:



Proposed north elevation:



Proposed east elevation:



Proposed south elevation:



Proposed west elevation:



Visual: Devonshire Road



Visual: Talbot Road



Visual: junction

