

Blackpool Council

29 March 2024

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

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 9 April 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 27 FEBRUARY 2024 (Pages 1 - 6)

To agree the minutes of the last meeting held on 27 February 2024 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 - FEBRUARY 2024 (Pages 11 - 14)

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

5 PLANNING APPLICATION 22/0168 - 611-613 NEW SOUTH PROMENADE, BLACKPOOL FY4 1NJ (Pages 15 - 56)

To consider planning application 22/0168 for the erection of part 4, 5 and 6 storey building comprising of 40 self-contained apartments with associated cycle/waste storage, and provision of 42 car parking spaces with access from Harrowside West, following demolition of existing hotel (Outline application for access, appearance, layout and scale).

6 PLANNING APPLICATION 22/0178 - 569-577 NEW SOUTH PROMENADE, BLACKPOOL, FY4 4JN (Pages 57 - 98)

To consider planning application 22/0178 for the erection of part a 4, 5 and 6 storey building comprising 49 self-contained permanent apartments with associated cycle/waste storage, and provision of 49 car parking spaces with access from New South Promenade following demolition of existing buildings (Outline application for access, appearance, layout and scale).

7 BACKGROUND REPORT ON PLANNING APPLICATIONS 23/426, 23/430 AND 23/440 (Pages 99 - 106)

To consider the attached report for the three applications referenced. The three applications relate to the Coastal Point residential flat development. All applications share common issues in relation to the provision of car parking.

8 PLANNING APPLICATION 23/0426 - 2-4 HARROW PLACE AND 647-651 NEW SOUTH PROMENADE, BLACKPOOL, FY4 1RP (Pages 107 - 128)

To consider planning application 23/0426 for external alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works.

Application under section 73 to allow the variation of condition 1 attached to planning permission 16/0421 to alter various floor layouts, relocation of gym and entrance position, removal of residents lounge in C Block, relocation of windows and amendments to highway and car parking layouts.

9 PLANNING APPLICATION 23/0430 - FLAT 25, COASTAL POINT, 647-651 NEW SOUTH PROMENADE, BLACKPOOL (Pages 129 - 138)

To consider planning application 23/0430 for the conversion of previously approved single flat to 2no. self-contained permanent flats.

10 PLANNING APPLICATION 23/0440 - 2-4 HARROW PLACE, BLACKPOOL, FY4 1RP (Pages 139 - 150)

To consider planning application 23/0440 for the use of part of ground floor as 2 self-contained permanent flats.

11 PLANNING APPLICATION 23/0830 - LAND BOUNDED BY COOKSON STREET, MILBOURNE STREET, GROSVENOR STREET AND GEORGE STREET, BLACKPOOL (Pages 151 - 196)

To consider planning application 23/0830 for:

A hybrid application comprising of :

Outline - Erection of buildings for use as an education-led mixed use development comprising a new education campus building (Use Class F1(a)) and further education floorspace (Use Class F1(a)) and/or office floorspace (Class E(g)), creation of new public realm with associated landscaping, car parking and associated works.

Full - Demolition of existing building and structures.

12 PLANNING APPLICATION 23/0848 - SITE BOUNDED BY PROMENADE, ST CHADS ROAD, WOODFIELD ROAD AND BOLTON STREET, BLACKPOOL, FY1 6BN (Pages 197 - 232)

To consider planning application 23/0848 for the erection of a part 5, part 6 storey hotel with 143 bedrooms and ancillary facilities, with car parking to rear accessed from Woodfield Road and landscaped external seating area to front.

13 PLANNING APPLICATION 23/0824- BLACKPOOL YOUTH CENTRE (BOYS AND GIRLS CLUB) VICTORY ROAD, BLACKPOOL, FY1 3HP (Pages 233 - 252)

To consider planning application 23/0824 for the erection of a single storey building for use as a community centre with associated soft landscaping and boundary treatment following demolition of existing building at Blackpool Youth Centre (Boys and Girls Club) Victory Road.

14 PLANNING APPLICATION 24/0029- 24 STANLEY PARK CLOSE (Pages 253 - 262)

To consider planning application 24/0029 for the creation of 2.9m wide vehicle access and installation of gates to East Park Drive elevation at 24 Stanley Park Close.

15 DATE OF NEXT MEETING

To note the date of the next meeting will be confirmed at the Annual Council meeting to be held on 15 May 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.

Public Document Pack Agenda Item 2

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 27 FEBRUARY 2024

Present:

Councillor Roe (in the Chair)

Councillors

Baker	Flanagan	Jackson
Farrell	Hoyle	Slooman

In Attendance:

Mrs J Cook, Democratic Governance Senior Adviser
Mr I Curtis, Legal Adviser
Ms S Parker, Head of Development Management

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 MINUTES OF THE MEETING HELD ON 12 DECEMBER 2023

Resolved:

That the minutes of the meeting held on 12 December 2023 be approved as a true and 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 held on 13 December 2023.

The Committee noted the details of the four appeals lodged and three appeals determined and that as detailed in the committee report, all three appeals had been dismissed.

Resolved:

The Committee noted the update.

4 PLANNING ENFORCEMENT UPDATE REPORT - NOVEMBER 2023

The Committee considered an update on planning enforcement activity within Blackpool, between 1 November 2023 and 30 November 2023.

In November 2023, 31 new cases had been registered for investigation and as at 30 November there had been 317 "live" complaints outstanding. Eight cases had been closed without recourse to formal action and 35 cases had been closed.

Resolved:

The Committee noted the update.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 27 FEBRUARY 2024

5 PLANNING ENFORCEMENT UPDATE REPORT - DECEMBER 2023

The Committee considered an update on planning enforcement activity within Blackpool, between 1 December 2023 and 31 December 2023.

In December 2023, 18 new cases had been registered for investigation and as at 31 December there had been 302 “live” complaints outstanding. Seven cases had been closed without recourse to formal action and 24 cases had been closed.

Resolved:

The Committee noted the update.

6 PLANNING ENFORCEMENT UPDATE REPORT - JANUARY 2024

The Committee considered an update on planning enforcement activity within Blackpool, between 1 January 2024 and 31 January 2024.

In January 2024, 36 new cases had been registered for investigation and as at 31 January there had been 279 “live” complaints outstanding. Sixteen cases had been closed without recourse to formal action and 40 cases had been closed.

Resolved:

The Committee noted the update.

7 PLANNING APPLICATION AND APPEALS PERFORMANCE

The Committee considered a report to update it on the Council’s performance in relation to Government targets for the third 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 third quarter of financial year 2023/24 was 100% of major applications determined within 13 weeks or an agreed extension and 87.4% of non-major applications determined within 8 weeks or an agreed extension. The Committee noted that the performance continued to exceed the target for major applications and for non-major applications.

Resolved:

To note the report.

8 UPDATED CONSERVATION AREA GUIDANCE

The Committee considered a report which sought approval for publication of the revised Conservation Area Guidance and Conservation Area Guidance for Shop Fronts and Signage on the Council’s website.

The Chair advised the Committee that the guidance had been approved in 2017, however since then it had become apparent that further information was needed, specifically to

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guide applicants who were seeking to install new shop fronts in Conservation Areas.

Resolved:

To approve for publication on the Council's website 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

The Committee considered a report which sought 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.

Ms S Parker, Head of Development Management, advised the Committee that site was no longer used for a purpose that required a Hazardous Substances Consent.

The Committee was advised that consent order did not prohibit development, but did prohibit the occupation of any new development within the 250m designated Control of Major Accident Hazards (COMAH) zone, which would have a negative economic and regeneration impact on the proposed development within the Eastern Gateway and privately owned sites within the Enterprise Zone.

Resolved:

1. To authorise the revocation of the Hazardous Substance Consent orders in relation to the above site.
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.
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.

10 PLANNING APPLICATION 23/0777 - THE FORMER DEVONSHIRE ROAD HOSPITAL SITE

The Committee considered 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.

Ms S Parker, Head of Development Management, outlined the report and advised that the existing courthouse was on the Blackpool Central site which required clearing to allow for redevelopment and regeneration of the site within the resort core in with Policy CS20 and the scheme would also facilitate redevelopment elsewhere, which was a material consideration that the Committee could give weight to, if it so wished.

Ms Parker informed the Committee that the application site was not allocated or designated in the Local Plan but was within the Talbot and Brunswick Integrated

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 27 FEBRUARY 2024

Neighbourhood Improvement area and on Talbot Road which was a Key Resort Gateway. The site had been vacant for over fifteen years and the application proposed redevelopment for high quality and essential community use.

Overall the site was considered to be reasonably accessible there was no objection to the proposal in principle. In respect of planning obligations, the only obligation that would apply to this type of development would be to tree planting which would be satisfactorily addressed through planting on-site alongside the provision of innovative greening measures.

Ms Parker advised the Committee that no amenity impacts were anticipated as a result of the development and the design was both high quality and visually engaging, with the use of different materials and degrees of projection in order to maintain visual interest and functionality. Plant, where proposed, would be integrated as sensitively as possible and public art would be provided within the fabric of the building, to accord with Policy DM25.

In respect of the existing locally listed boundary wall, Ms Parker noted that the Council's Built Heritage Manager had no objections and that as much of the wall would be retained as possible. Where sections of that wall would be lost to facilitate access, these materials would be salvaged to use elsewhere on the development if possible. The development needed to meet the security requirements of the courts and some parts of the boundary wall would need to be adapted or bolstered.

The Committee was advised that access would be from Talbot Road for both vehicles and pedestrians and that a secondary access would be retained onto Devonshire Road to be used in emergency situations only. No objections had been raised from the Council's Head of Highways and Traffic Management in relation to the proposal. In relation to car parking, information had been provided by other court houses around the country and the level of proposed parking was considered to be reasonable. The parking proposed would be within the south west corner of the site, could be managed by the Council and methods of managing nuisance on-street parking could be secured through planning conditions.

Ms Parker drew the Committee's attention to an initial objection that had been received from United Utilities and advised that, as detailed in the Update Note, this had been withdrawn following relocation of the bin store. One representation had been received in relation to the proposal and those issues raised had been satisfactorily addressed within the Committee Report.

In relation to the impact of the development on the environment, Ms Parker reminded the Committee that as the application pre-dated introduction of the requirement for 10% biodiversity net gain, there was no requirement, however a green and blue roof had been proposed which would provide valuable habitat. In addition the development was intended to provide a building with a BREEAM rating of outstanding.

In conclusion, the Committee was advised that that the proposal was considered to be a high-quality scheme that would support the Council's wider vision and planning strategy and would represent sustainable development. The Committee was asked to approve the application subject to the conditions as set out within the Committee Report.

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Councillor Ivan Taylor, Councillor for Claremont Ward and Deputy Leader of the Council, spoke on the application and raised traffic concerns in relation to Talbot Road and Devonshire Road and the current build-up of traffic. He noted that Coleridge Road could be considered as a viable alternative and asked that if the application was approved, then appropriate measures be put in place in relation to car parking and measures to prevent prohibitive parking costs.

Ms Parker noted Councillor Taylor's concerns and advised the Committee that there had been no objections from Highways. She reminded the Committee that a planning application was not required to address existing traffic concerns and could only be expected to ameliorate its own impact. In relation to access concerns she advised that Coleridge Road was a quiet, secondary road and had not been considered to be appropriate for primary traffic and pedestrian access and that there had been no objections from Highways to the application.

Ms Parker noted that car parking arrangements and charges were an important issue and that this would need careful consideration and management in order to provide affordable parking for users of the courts but also to prevent use of the parking by town centre workers and visitors to the resort. This could be managed by the use of Traffic Regulation Orders to supplement those already in situ nearby.

The Committee discussed the report and was advised that the timescale for completion was for Summer 2026. The Committee noted the current lack of a court within the town and that this would be a much needed and welcomed facility. The Committee noted the retention of the boundary wall as a historical feature and the reuse of materials where the wall was to be removed for security and access reasons.

Resolved:

To approve the application subject to the conditions as set out in the Committee Report.

11 DATE OF NEXT MEETING

The Committee noted the date of the next meeting as 9 April 2024.

Chairman

(The meeting ended at 6.21 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:	9 April 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:

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

6.0 Planning/Enforcement Appeals Lodged

- 6.1 22/0221 – Beaverbrooks House, 147 Newton Drive, Blackpool, FY3 8LZ - Pruning of Trees (T56 - T67, T90 - T93, T101x, T114 and T115) within the Borough of Blackpool (145/147 Newton Drive) Tree Preservation Order (No.16) 1979

An appeal has been lodged by Blackpool Carers Centre against the Council's refusal of consent to works for trees

- 6.2 23/0545 – 8A Palatine Road, Blackpool, FY1 4BT - Use of ground floor as 1 self-contained permanent flat.

An appeal has been lodged by Basham West Ltd against the Council's refusal of planning permission.

- 6.3 23/0766 – Hounds Hill Centre, Coronation Street, Blackpool, FY1 4PA - Display of various vinyl advertisements on external windows.

An appeal has been lodged by Frasers Group against the Council's refusal of Advertisement Consent

- 6.4 23/0178 – 2-4 Gloucester Avenue, Blackpool, FY1 4EJ Retention of outbuilding in use as self-contained annexe. (Retrospective application)

An appeal has been lodged by Mrs H Dennett against the Council's refusal of Planning Permission.

- 6.5 23/0750 – Flat 2, 78 Harrowside Road, Blackpool, FY4 1LR - Use of premises as self-contained letting accommodation (sui generis use) (retrospective application)

An appeal has been lodged by Cherry Property Investment Limited against the Council's refusal of Planning Permission.

7.0 Planning/Enforcement Appeals Determined

- 7.1 23/0001 – 97 Lytham Road, Blackpool, FY1 6DT - Change of use, including new ground floor frontage and access alterations, to provide 2 no. self-contained flats for flexible use as permanent residential (C3) or holiday accommodation (Sui Generis).

Appeal Allowed

An appeal was made by Seaside Hoteliers Ltd for a flexible use of the above premises between permanent residential flats and holiday accommodation. This application

was the local planning authority's first flexible-use application. The appeal site was located within the Resort Core and Inner Area and noted within the Local Plan as a mixed holiday and residential neighbourhood. The main issue was whether 97 Lytham Road is a suitable location for new holiday accommodation, having regard to the Council's policy requirements to achieve resort regeneration and sustainable neighbourhoods. Owing to the character of the area, the local planning authority's position was that a holiday use within the building was not appropriate in this location.

The Inspector found that Policy CS21 (Leisure and Business Tourism) did not specify that new visitor accommodation must be located only within those defined Holiday Accommodation Areas that lay within the resort core, nor did it state that new visitor accommodation will only be supported in those areas of the resort core with the strongest holiday character. As such, whilst this part of Lytham Road was not characterised by a high prevalence of existing holiday accommodation, nevertheless, LP Policy CS21 directs new holiday accommodation to this area. There was therefore no conflict with this policy. Further the Inspector found that, whilst the nature of a holiday use would be different to that of permanent residential occupancy of the flats, such comings and goings could be mitigated against through agreement of Management Plans etc. The Inspector found that 97 Lytham Road was a suitable location for new visitor accommodation, with specific regard to achieving resort regeneration and sustainable neighbourhoods, and that the proposed development complies with LP Policies CS12 and CS21, and found no conflict with guidance contained within the Council's SPD.

The appellant also made an application for costs against the Council. A partial costs award has been issued to the appellant on the basis that the Council's approach to differentiating between areas within the resort core and requiring development to be within an area of strong holiday character, goes beyond the requirements of the policy when properly interpreted. Therefore, the Inspector found that the Council has acted unreasonably in pursuing this reason for refusal and in doing so, has incurred the appellant unnecessary expense. The Inspector did not find that the Council's level of communication or engagement with the appellant was inadequate and, as such, the appellants claims of further unreasonable behaviour was dismissed.

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 & Conservation
Date of Meeting:	9 April 2024

PLANNING ENFORCEMENT UPDATE – FEBRUARY 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 February 2024 and 29 February 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 & 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, 39 new cases were registered for investigation in February 2024.

As at 29th February 2024 there were 280 "live" complaints outstanding.

Resolved cases

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

Closed cases

28 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 February 2024;
- One s215 Notice was authorised in February 2024;
- One Enforcement Notice was issued in February 2024;
- No s215 Notices were issued in February 2024.

Notices authorised

Ref	Address	Case	Dates
23/8149	51 CHARNLEY ROAD (FY1 4PE)	Without planning permission, the material change of use from a guest-house to a self-contained holiday let	EN authorised 28/02/2024
23/8251	38 COLERIDGE ROAD (FY1 3SD)	Poor condition of property	S215 authorised 28/02/2024

Notices issued

Ref	Address	Case	Dates
22/8298	56 MAPLEWOOD DRIVE (FY5 1PW)	Without planning permission, the erection of a carport to side elevation with balcony above at first floor	EN issued 05/02/2024 – complied immediately

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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**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	22/0168
Ward:	Waterloo
Application type:	Major Outline application
Location:	611-613 NEW SOUTH PROMENADE, BLACKPOOL FY4 1NJ
Proposal:	Erection of part 4, 5 and 6 storey building comprising of 40 self-contained apartments with associated cycle/waste storage, and provision of 45 car parking spaces with access from Harrowside West, following demolition of existing hotel (Outline application for access, appearance, layout and scale).
Recommendation:	That Committee adopts the Habitats Regulations Assessment and resolves to support the proposal and delegate the application to the Head of Development Management for approval subject to the completion of a S106 legal agreement and the conditions listed at the end of this report.
Recommendation Summary:	The application does not provide the full range of planning obligations. However, the applicant has sought to demonstrate that full compliance would not be financially viable. Despite the site not being allocated for strategic housing delivery, the regeneration benefits and provision of 40 new good quality homes is considered to weigh sufficiently in favour of the proposal to justify the grant of planning permission.
Meeting date:	9 April 2024
Reason for bringing to Committee:	The application is a major proposal that is of general public interest, particularly given the recommendation to approve without securing the full suite of planning obligations.
Case officer:	Clare Johnson
Case officer contact:	01253 476224

1.0 SITE DESCRIPTION

- 1.1 The 0.15 hectare site is on a very prominent corner, to the north of the junction with New South Promenade and Harrowside West. The site is roughly square although the south west corner pushes out west and follows the curve of the road junction. A small parcel of land to the east off the back street is also included within the red edge, which is currently used for car parking.

- 1.2 The site is the southernmost corner of a terraced crescent which is set back from the main Promenade frontage by two symmetrical parcels of enclosed green space and access roads. There is a three storey, 40 bedroom hotel (Headlands Hotel) on the site which has a mansard roof lift (around 12.5m tall) and wrap-around sun lounge and there are informal forecourt parking areas to the frontages behind a brick dwarf wall.
- 1.3 The hotel has brown brick elevations with cream tiled details around the upper floor windows, including evenly spaced first floor bay windows which would have originally carried down to ground floor. The entrance is on the corner and the hotel has frontages on both New South Promenade and Harrowside West.
- 1.4 The application site adjoins similarly designed and scaled holiday accommodation to the east with largely two-storey residential uses beyond, to the west is New South Promenade and the seafront and there is the recently erected and extended Hampton by Hilton Hotel to the north. To the south is Harrowside West, the locally listed Solaris building and associated open space and the part, 4, 5 and 6 storey Coastal Point development.
- 1.5 There are parking restrictions in the form of double yellow lines to the front of the property and a parking bay along the full length of the crescent. There are on-street parking bays on the west side of the crescent and on Harrowside West, although on-street parking in the area is very over-subscribed.
- 1.6 The existing hotel appears to be trading. This stretch of New South Promenade is dominated by holiday accommodation which benefits from being close to leisure assets such as the Pleasure Beach, the Sandcastle Waterpark and the beach.
- 1.7 The site is identified as protected holiday accommodation in the Pleasure Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Holiday Accommodation Supplementary Planning Document.
- 1.8 The site is within the aerodrome safeguarding area, is surrounded by Flood Zones 2 and 3 and is within the buffer zone of the Blackpool South Railway Line Biological Heritage Site. The site is also within 1km of the Ribble & Alt Estuaries Special Protection Area (SPA), the Ribble & Alt Estuaries RAMSAR site and the Ribble Estuary Site of Scientific Interest (SSSI). No other designations or constraints are identified.

2.0 PROPOSAL

- 2.1 The application seeks outline permission for the access, appearance, layout and scale for a part 4, 5 and 6 storey building comprising of 40 self-contained apartments with associated cycle/waste storage, following the demolition of existing hotel. The principle access to the site would be from Harrowside West, including access to 39 partially undercroft car parking spaces and 6 car parking spaces to the rear would be accessed off the back street.
- 2.2 The application has been supported by:
 - Planning Statement
 - Design and Access Statement
 - Transport Statement
 - Flood Risk Assessment and Drainage Strategy
 - Fire Statement
 - Bat Survey
 - Accessibility Questionnaire

- Habitats Regulation Assessment
- Phase 1 Desk Top Study
- Viability Assessment

3.0 RELEVANT PLANNING HISTORY

The application site:

- 3.1 08/0095 (site included the adjacent plot to north and the northern half of the crescent) – Outline application for the erection of six new buildings rising to between 11 and 13 storeys in height, comprising 300 new dwellings and holiday accommodation together with 2 restaurant / cafe uses and associated car parking, servicing and landscaping. Refused on the grounds of scale/mass and spacing of the blocks and harm to the amenities of Clifton Drive residents, overbearing impacts and visual intrusion, lack of a comprehensive resulting in piecemeal development, inadequate transport evidence, access, parking and servicing arrangements and lack of Public Open Space or Affordable Housing provision.

585-593 New South Promenade and 1 Wimbourne Crescent to the north:

- 3.2 17/0193 - Outline application for the erection of part 3 / part 4 / part 5 / part 6 storey (approximately 16.4m tall) block of 88 self-contained permanent flats with car parking for 88 vehicles, access and associated works, following demolition of existing hotels. Outline permission for access, layout, appearance and scale. Granted 09/05/2017
- 3.3 16/0473 - Outline application for the erection of part 5 /part 6 / part 7 storey (just over 19m tall) block of 91 self-contained permanent flats with car parking for 84 vehicles, access and associated works following demolition of existing hotels. Refused on the grounds of scale/mass and number of flats proposed and harm to the character of the area and the amenities of Clifton Drive residents, insufficient parking and the lack of holiday accommodation.
- 3.4 15/0451 - Outline application for the erection of part 5 /part 7 storey (just over 19m tall) block of 99 self-contained permanent flats with car parking for 84 vehicles, access and associated works following demolition of existing hotels. Refused on the grounds of scale/mass and number of flats proposed and harm to the character of the area and the amenities of Clifton Drive residents and insufficient parking.
- 3.5 09/0815 – Outline application for the erection of residential development of between 3 and 11 storeys, comprising 166 apartments, with leisure facilities and associated car parking, servicing and landscaping (outline proposal). Refused 22/12/2009 on the grounds of lack of holiday accommodation, Public Open Space or Affordable Housing provision and inaccurate plans.

595-601 New South Promenade (Hampton by Hilton) to the north:

- 3.6 15/0271 - Erection of a four storey building to form a 130 bedroom hotel with associated car park for 38 vehicles, cycle/ motorcycle parking, bin store, sub-station and servicing arrangements, following demolition of the existing buildings. Granted 19/08/2015
- 3.7 20/0352 - Erection of a four storey extension to the hotel to form an additional 74 bedrooms; single storey rear extension, plant room on the roof and additional parking

spaces to the rear, with new access/ egress to the car park (Hampton by Hilton extension).
Granted 19/09/2020

- 3.8 09/0253 - Outline application for the erection of 120 bedroom hotel of between two and eleven storeys in height, including health club/spa, pool/gym and penthouse flat, with associated car parking at basement and ground level and servicing. Granted 18/05/2009 and renewed 04/09/2012

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

4.1 National Planning Policy Framework (NPPF)

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

- Section 5 Delivering a Sufficient Supply of Homes
- Section 8 Promoting healthy and safe communities
- Section 9 Promoting Sustainable Transport
- Section 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

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 (Core Strategy)

- 4.3.1 The Blackpool Local Plan Part 1: Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS2 Housing Provision
- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS10 Sustainable Design and Low Carbon and Renewable Energy
- CS11 Planning Obligations
- CS12 Sustainable Neighbourhoods
- CS13 Housing Mix, Standards, and Density
- CS14 Affordable Housing
- CS15 Health and Education
- CS23 Managing Holiday Bed Spaces
- CS27 South Blackpool Transport and Connectivity

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

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

- DM1 Design Requirements for New Build Housing Developments

- DM10 Promenade and Seafront
- DM17 Design Principles
- DM18 High Speed Broadband for New Developments
- DM19 Strategic Views
- DM21 Landscaping
- DM25 Public Art
- DM31 Surface Water Management
- DM33 Coast and Foreshore
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM41 Transport Requirements for New Development
- DM42 Aerodrome Safeguarding

4.5 Other Relevant documents, guidance and legislation

- 4.5.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.
- 4.5.2 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Mandatory biodiversity net gain does not apply to major applications which were submitted before the 12th February 2024. However, the Council will seek to secure biodiversity gains where practicable in accordance with Section 15 of the NPPF and Policy DM35.
- 4.5.3 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.
- 4.5.4 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.
- 4.5.5 DCLG National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council’s New Homes from Old Places SPD guidance.
- 4.5.6 Holiday Accommodation Supplementary Planning Document (SPD) - this document was adopted in November 2017 as a revision to the original version adopted in March 2011. It sets out the Council approach to proposals for or relating to holiday accommodation and identifies the safeguarded holiday accommodation areas.
- 4.5.7 Affordable Housing Supplementary Planning Document (SPD) – this document was adopted in July 2023 and sets out the affordable housing requirements and calculations for off-site affordable housing provision.
- 4.5.8 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.

- 4.5.9 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.
- 4.5.10 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.
- 4.5.11 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.

5.0 CONSULTEE RESPONSES

5.1 Environment Agency (EA):

- 5.1.1 The EA has confirmed that the development site is surrounded by tidal Flood Zone 3 (high probability of flooding), which encroaches into the application boundary. However, given there is no habitable accommodation proposed on the ground floor, the EA have offered no objections following the submission of an updated FRA, subject to strict accordance with the FRA and the mitigation measures set out therein.
- 5.1.2 The EA offers advice on the sequential and exception tests.
- 5.1.3 The EA points out that applicants are encouraged to include biodiversity net gain (BNG) within their proposals. Paragraphs 174 and 179 of the National Planning Policy Framework (NPPF) recognise that the planning system should provide net gains for biodiversity. By November 2023 (*changed to February 2024*), providing a minimum 10% biodiversity net gain in new development will be a legal requirement due to provisions within the Environment Act 2021. Advice is also given in relation to emissions from Non-Road Mobile Machinery during the demolition/construction process, such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs, etc in the interests of air quality and net zero objectives.
- 5.2 **Natural England (NE):** NE have confirmed that it has no objections following the submission of a Habitats Regulations Assessment (HRA), subject to adherence with the mitigation measures set out therein and on the assumption that the Council will adopt the HRA. The measures include the provision of advisory homeowner packs and informative signage in relation to recreational disturbance which explains the sensitivities of the nearby designated sites and promotes the use of nearby Sustainable Alternative Natural Greenspaces (SANGs) and includes a responsible user code. The development should also proceed in accordance with the following pollution prevention measures:

- The maintenance of all operational plant

- Turning off all plant that is not in use
- Regularly dampening of the operational areas during dry weather conditions to avoid dust. Dust management techniques to cover the plant and all operational areas throughout the period of development.
- Measures to prevent pollutants from entering ground and surface water through the use of a bunded fuel storage and refuelling area at a discrete distance from any watercourses. Appropriate spill management equipment is to be kept on-site and capable of being effectively utilised by trained operatives to contain any accidental spillage within any part of the operational area.
- A toolbox talk is to be completed by a suitably qualified ecologist to ensure contractors are aware of the Liverpool Bay Special Protection Area (SPA), the Ribble and Alt Estuaries Special Protection Area, the Ribble and Alt Estuaries Ramsar and the Ribble Estuary Site of Special Scientific Interest (SSSI) and their ecological importance.
- A 'Site Tidy' protocol is to be enforced on-site. All litter is to be appropriately controlled, whilst on-site materials are to be adequately stored over-night.

5.3 **Health and Safety Executive (HSE) – Planning Gateway One:** The HSE initially responded when the proposal involved a seven storey development. The scheme has since been reduced to six storeys and the Health and Safety Executive have confirmed that the development is no longer within the scope of Planning Gateway One and will not be providing a substantive response to the amended scheme.

5.4 **Lancashire Fire and Rescue:** provided standard advice regarding access and water supplies required under Building Regulations Approved Document B

5.5 **United Utilities (UU):** The proposals are acceptable in principle, but there is insufficient information on the detail of the drainage design. UU has requested the imposition of their standard drainage conditions.

5.6 **NHS Clinical Commissioning Group (CCG):** The CCG has requested £18,328 towards the reconfiguration at South Shore Primary Care Centre for additional clinical capacity, in order to meet the clinical needs of the development. In the absence of securing this sum, the NHS CCG would object to the application.

5.7 **NHS Foundation Trust:** The Trust has requested £52,055.00 to cover a 3 year budgetary shortfall in meeting the needs of the increase in population which arises from the development.

5.8 **Police Architectural Liaison Officer (PALO):** The PALO recommends the following measures:

- creating defensible space around the apartment block by introducing a low fence along the street frontages to divide public and private space and allow a clear sense of ownership;
- The car park should include 'Park Mark' measures to ensure the safety of people and vehicles. The car park should include lighting and be covered by CCTV with clear signage;
- There should be an access control gate which reduces the opportunity for hiding spots and restricts access to the car park. I recommend residents having a fob/coded system to access the car park;
- Larger apartment blocks can suffer from anti-social behaviour due to unrestricted access to all areas and floors of the building. Access should be restricted.
- Communal areas should be lit and CCTV should cover vulnerable areas
- Ground floor windows to be secure and laminated

- Cycle store and post room should be secure
- 5.9 **Blackpool Airport:** No objections subject to the imposition of their standard crane heights condition. Officer note: The Airport have also requested the imposition of a condition which requires refuse storage areas to be constructed so that they do not attract birds which could result in bird strike. The refuse area is internal and secure so the condition is not necessary.
- 5.10 **NATS Safeguarding:** The proposal does not conflict with NATS safeguarding criteria and NATS therefore have no safeguarding objection to the proposal.
- 5.11 **Defence Estates Warton:** The MOD has no safeguarding objections to this proposal.
- 5.12 **Greater Manchester Ecology Unit:** No response. Any response will be reported in the Update Note.
- 5.13 **Electricity North West:** The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West. Standard advice is given in relation to avoiding danger from underground and overhead electric lines.
- 5.14 **Local Highway Authority:**
- 5.14.1 No objection to the proposal with respect to the scale or appearance, the loading bays or the Transport Statement. The parking provision is acceptable for the location and types of dwelling. I note that motorcycle parking is not included at present.
- 5.14.2 The location of the front pedestrian entrance means that post and parcels will be delivered there. This and the location of the vehicle access will require amendments to TRO's. There are redundant crossing areas to reinstate and the new access for which no detail is given. The forecourts are at a level above the back of footway. In view of this, likely damage and adjustments during construction and the need to amend TRO's I would expect to see a scheme of highway works conditioned covering TRO's, new and old crossings and repaving of the frontage footways. Lighting may also need to be included.
- 5.14.3 The numbers of vehicle movements will not be great and so there is no need to allow pedestrians a separate footway width. Signage inside the arch giving priority to entering vehicles (some of which will be 2.5m wide plus mirrors) would be appropriate. The archway area should be specifically covered in a lighting scheme.
- 5.14.4 I note that the waste/servicing arrangement is to be at the front in order for the rear to be secure.
- 5.14.5 The spaces outside the archway, at right angles to the access, remain an undesirable complication. They are immediately at the back of footway with no separation or delineation. There seem to be four acceptable sized spaces and room to move them away from the back of footway. There should, then, be something to prevent vehicles being able to drive over the footway – ie to force them to use only the access crossing width. From these spaces and the spaces just within the arch the shortest way to the foyer is via the highway for some reason.

- 5.14.6 Provision of electrical charging points in the car park is achieved using the “dead space” in corners. As set out it may be difficult to achieve future additional charging points and this should be clarified at some point. It would appear that the footprint of the ground floor rooms is dictated by a 6m car park aisle – leaving no room for charging units in the future.
- 5.15 **Environmental Protection:** No response. Any response will be reported in the Update Note.
- 5.16 **Local Education Authority:** Education has no objection to this application, and any pupil number increases should be able to be accommodated within existing capacity and does therefore not require a contribution from the developer.
- 5.17 **Envenco Waste Management:** No response. Any response will be reported in the Update Note.
- 5.18 **Head of Housing:** No response. Any response will be reported in the Update Note.
- 5.19 **Head of Parks:** No response. Any response will be reported in the Update Note.
- 5.20 **Lead Local Flood Authority:** The proposed drainage scheme with storage and flow restrictions are acceptable. A management plan for the proposed drainage will be required.
- 5.21 **Community Safety Officer:** No response. Any response will be reported in the Update Note.

6.0 REPRESENTATIONS

- 6.1 Press notice published: 20/09/2022
- 6.2 Site notice published: 17/09/2022
- 6.3 Neighbours notified: 09/09/2022
- 6.4 Two number of representations have been received from 66B Clifton Drive and Flat 3 at 60 Clifton Drive.
- 6.5 These representations raise the following issues:
- The building is too high and should be kept the same as the surrounding buildings
 - Parking is an issue
 - Residents have been promised residents parking but this has not been delivered
 - Cars can't be cleaned down the back alley due to double yellow lines
 - Cars can't access garages down the back street due to the Hampton by Hilton extension
 - Rubbish is being dumped by cars making the area look untidy

7.0 ASSESSMENT

7.1 Principle of Development

Loss of Holiday Accommodation

- 7.1.1 The building currently on the site is a 40 bed hotel and it is understood that the hotel has been on the market for around 12 years and despite some interest, the building has failed to

attract a buyer. The application states that the rise of chain hotel brands and online booking site fees, along with the costly maintenance of the 90 year old building has resulted in a gradual decline over recent years and the business is no longer viable, although it is still trading.

- 7.1.2 The site is protected holiday accommodation in the Pleasure Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Holiday Accommodation Supplementary Planning Document. Core Strategy Policy CS23 states that within the holiday accommodation areas, the loss of sites used as holiday accommodation will be resisted unless “the proposal would provide high quality holiday accommodation alongside a supporting new residential offer” and requires justification for the mix of holiday and residential accommodation proposed. Such developments would need to meet high standards of design and deliver clear regeneration benefits.
- 7.1.3 The application is for apartments for occupation on a permanent basis and does not propose any holiday accommodation. However, to the north of the site is the recently erected and extended Hampton by Hilton Hotel which now provides a total of 204 good quality hotel rooms, and a further 120 good quality rooms are provided in the recently constructed Boulevard Hotel, approximately 250m to the north. It could therefore be argued that in approving this scheme, the Pleasure Beach Holiday Accommodation Area when taken as a whole, would provide a mix of high quality holiday accommodation alongside a new permanent residential offer and would therefore provide the mix of accommodation envisaged by Policy CS23. The issues of high quality design and regeneration benefits are discussed elsewhere in the report.

Housing land supply

- 7.1.4 Policy CS2 of the Core Strategy, sets out Blackpool’s housing requirement to build 4,200 new homes between 2012 and 2027. It states that these homes will be located on:
- Sites within the existing urban area, including major regeneration sites;
 - Sites within the South Blackpool Growth area; and
 - Windfall sites (sites which become available unexpectedly and are not specifically identified as part of the Local Plan process. They normally comprise previously developed sites).
- 7.1.5 The application site is not allocated for housing although Policy CS2 states that new homes will be located on sites within existing urban areas and confirms that windfall sites form an important source of housing supply in Blackpool.
- 7.1.6 Since the NPPF update in December 2023, Local Planning Authorities are no longer required to identify a five-year housing land supply for decision making purposes, where the adopted plan is less than 5 years old and that plan identifies a 5 year supply of specific, deliverable sites at the time the examination concluded. The Local Plan Part 2 allocates land for housing and was examined in 2022 and at that time, the Council could demonstrate a 14.2 year housing land supply. Therefore, there is no tilted balance and no overriding need to approve housing development on this site to deliver the 4,200 houses required to meet the housebuilding commitments to 2027 set out in Policy CS2. However, the national housing shortage is very well documented and Section 5 of the NPPF supports the government’s objective of significantly boosting the supply of homes. Paragraph 124 of the NPPF supports housing proposals within existing settlement boundaries, stating that substantial weight should be given to the value of using sustainable brownfield land for housing.

- 7.1.7 The Core Strategy supports sustainable regeneration, diversification and growth which meets the needs of Blackpool's people now and into the future, and supports new housing provision to deliver a choice of quality homes across the Borough for new and existing residents.
- 7.1.8 The scheme would make a quantitative contribution towards future local housing needs which weighs very strongly in favour of the proposal in the planning balance.

Effective use of land

- 7.1.9 The site is currently occupied by the Headlands Hotel and so constitutes brownfield land. Whilst there is no over-riding need for housing development on this site, or tilted balance to consider, the efficient re-use of this brownfield site to provide residential development would accord with paragraph 124c) of the NPPF. Paragraph 128 of the NPPF confirms that decisions should support development that makes efficient use of land, promoting regeneration and change and the importance of securing well-designed and beautiful, attractive and healthy places.
- 7.1.10 To deliver the Core Strategy vision, the overarching spatial focus for Blackpool is regeneration and supporting growth, including supporting housing growth in South Blackpool. Policy CS13 supports housing development that makes efficient use of land, with an optimum density appropriate to the characteristics of the site and its surrounding area.
- 7.1.11 At 18m tall, the development would be higher than surrounding development (adjoining property on Harrowside West is around 12.5m tall and the Hampton by Hilton is around 14.6m tall). However, CS13 supports higher density development on public transport corridors such as the Promenade and Policy DM17 requires higher density development of four storeys or more on the Promenade. The provision of 40 dwellings on a 0.15ha equates to 266 dwellings/ha, which is not uncommon in flat development.
- 7.1.12 Whilst the height of the development will be discussed in more detail in the Visual Impact section of this report, the proposal would be no higher than the approved part 4, 5 and 6 storey Coastal Point development to the south at 647-651 New South Promenade and 2-4 Harrow Place (16/0421 refers).
- 7.1.13 As such, the principle of higher density development and the reuse of brownfield land for housing in this location weighs strongly in favour of the application.

Housing Mix

- 7.1.14 Policy CS12 supports development which provides high quality housing with an appropriate mix of types and tenures to meet the needs and aspirations of existing and future residents and assists with rebalancing the housing market. Policy CS13 requires an appropriate mix of quality homes which help rebalance Blackpool's housing supply by including a mix of house types and sizes, having regard to the specific character, location and viability of the site.
- 7.1.15 CS13 goes on to states that on all sites, new flat developments will not be permitted which would further intensify existing over-concentrations of such accommodation and conflict with wider efforts for the comprehensive improvement of the neighbourhood. Where flat developments are permitted, at least 70% of flat accommodation should be 2 bedrooms or more and the accommodation should meet the relevant standards in place.

- 7.1.16 The development site is within Lower Super Output Area (LSOA) 017C where 49.8% of the residential accommodation comprises flats (compared to 21.2% in Blackpool as a whole, 15.8% in the North West and 22.2% in England). The development proposed would add to the number of flats in the area and would not therefore, improve the mix of housing types locally. However, many of the flats in the area are within purpose built blocks of flats rather than an over-concentration of poor quality conversions as seen elsewhere in the borough. The site is not suitable for traditional two storey dwellings given its context and that Policy DM17 requires higher density development of four storeys or more on the Promenade. As such, the existing over-concentration of flat development locally does not weigh heavily against the proposals in the planning balance.
- 7.1.17 The proposal is for 40 apartments and 28 of those apartments would have 2 or more bedrooms (70%) so the proposal meets the required housing mix in terms of house types. The apartments would also meet the floorspace standards set out in the Nationally Described Space Standards, indicating that the apartments would be good quality and would assist in rebalancing the housing market.
- 7.1.18 Policy DM1 requires that 10% of dwellings should be designed to be accessible and adaptable in accordance with technical standard M4(2) or suitable for wheelchair users in accordance with M4(3) of the Building Regulations. Given the age of the application which was submitted prior to the examination of Policy DM1, the case officer has not requested that the applicant demonstrate compliance with this element of DM1.
- 7.1.19 On balance, subject to high standards of design and regeneration benefits which are discussed elsewhere in the report, given the circumstances of the site and the wider holiday accommodation area, the loss of holiday accommodation and the provision of permanent accommodation is in accordance with the Development Plan when taken as a whole, including the overarching spatial focus for Blackpool, as set out within Policy CS1, which is for growth and regeneration.
- 7.1.20 The Government has recently announced proposals to introduce a new Use Class C5 which will be for short term lets, and a new permitted development right for C3 uses to be used as C5, unless the Council introduce an Article 4 direction which removes this right. The amenity conflicts which arise between permanent residential accommodation and holiday accommodation, particularly in a block of mixed permanent and holiday apartments, is acknowledged in Blackpool. Furthermore, the contribution that the scheme would bring to the housing supply and improvement to the housing stock has weighed significantly in favour of the scheme in the planning balance. Therefore it is considered necessary to impose a condition requiring that the apartments are used as C3 accommodation for permanent occupation only.

7.2 Planning Obligations

- 7.2.1 Paragraph 57 of the NPPF states that planning obligations must only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 7.2.2 Paragraph 58 states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be

viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.

- 7.2.3 Policy CS11 states that development will only be permitted where the existing infrastructure, services and amenities are already sufficient, or where the developer enters into a legal undertaking or agreement to meet additional needs arising from the development.
- 7.2.4 Policy CS15 of the Core Strategy makes provision for financial contributions to be secured towards local health care and education provision where necessary. The Council as Local Education Authority has confirmed that there is sufficient existing capacity in the area to meet the needs that would be generated by the development and so no contribution is sought towards local education provision.
- 7.2.5 The NHS Clinical Commissioning Group (CCG) who are responsible for the provision of local doctors' surgeries and health centres, has applied their standard methodology and are requesting £18,260 towards the reconfiguration at South Shore Primary Care Centre for additional clinical capacity, in order to meet the clinical needs of the development. If this sum cannot be secured, the CCG would object to the proposal. Subject to the consideration of viability to be discussed elsewhere in this report, this would be secured through a S106 legal agreement.
- 7.2.6 The NHS Foundation Trust governs Blackpool Victoria Hospital which is a major facility serving Blackpool, Fylde, Wyre and beyond. The Trust have requested £52,055.00 (based on 41 apartments rather than the 40 proposed) to cover a funding gap of around 3 years between the grant of planning permission and the next funding review. This request is not considered to be acceptable because the figure requested is based on an assumption that all future occupants would represent a population increase. Whilst the development may result in population increase in this local area which could affect local surgeries, there is no evidence to suggest that it would result in population increase across Blackpool as a whole that could affect capacity at Blackpool Victoria Hospital. This is because the Office of National Statistics has confirmed that the population in Blackpool has decreased by 0.7% between the 2011 and 2021 census and predict that the population of Blackpool will fall by 2.5% between 2016 and 2041. It is therefore very possible that future occupants would be existing Blackpool residents or residents already within the Trusts' wider catchment, who have chosen to relocate to this area. In any case, people are entitled to NHS services wherever they may live in the country and the way national funding is distributed to NHS Trusts is not a localised impact directly relating to the development proposed. On this basis, as the Trust has not adequately demonstrated that the contribution is necessary in order to make the development acceptable, it will not be pursued.
- 7.2.7 Policy CS6 requires new development to incorporate green infrastructure of an appropriate size, type and standard. Where on-site provision is not possible, financial contributions will be sought to make appropriate provision for open space and green infrastructure. The Greening Blackpool SPD sets out the requirements in terms of public open space and requires two trees for each dwelling. No open space or meaningful tree planting could be delivered on-site. As such, a scheme of 40 apartments comprising 12x1 bedroom units, 27x2 bedroom units and 1x3 bed unit would require £64,333.56 in open space contributions and 80 trees or £80,000 towards off-site tree planting.
- 7.2.8 Policy CS14 relates to affordable housing and for developments of 15 or more dwellings, requires 30% of the total number of dwellings to be affordable, unless the developer can

robustly demonstrate that the development would be unviable. In those circumstances, an alternative level of provision may be negotiated.

- 7.2.9 The NPPF states that affordable housing should be provided on site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified and where that would contribute towards the creation of mixed and balanced communities. In this case, the Housing Manager has confirmed that contributions for off-site provision would be more appropriate.
- 7.2.10 As part of the affordable housing provision, the NPPF states that in major housing applications, at least 10% of the total number of homes should be available for affordable home ownership (as part of the overall contribution from the site). However, in Blackpool, the Housing Manager has confirmed that the current needs are for affordable homes for rent. The NPPF also states that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount based on floorspace. However, the Headlands Hotel is currently trading and the vacant building credit would therefore not apply in this instance.
- 7.2.11 In order to achieve the 30% affordable housing requirement, 12 of the 40 apartments would need to be affordable units. The Affordable Housing SPD explains how an equivalent off-site affordable housing contributions should be calculated and based on the mean market values provided as part of the applicants' viability information, the offsite contribution would be £1,308,599.82.
- 7.2.12 The planning obligations due, amount to £1,471,193.38.

Financial Viability

- 7.2.13 The applicant has submitted a financial viability appraisal stating that the payment of any planning obligations would make the scheme undeliverable, but has since made a full and final offer of £104,000 towards off-site affordable housing provision and £32,519.91 towards open space and health infrastructure and tree planting (£136,519.91 in total). The viability appraisal to the Local Plan Part 2 acknowledges that provision of affordable housing at 30% in full compliance with Policy CS14 is unlikely to be financially viable given various economic challenges that have arisen since Part 1 was adopted in 2016. Paragraph 58 of the NPPF states that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case. The shortfall in obligations and the lack of affordable housing contributions weigh notably against the proposal in the planning balance.
- 7.2.14 This viability appraisal has been independently assessed on behalf of the Council by Continuum and extensive discussions have taken place between the viability consultants on both sides. There are disagreements over the construction costs, sales and marketing fees and more importantly, the market values of the apartments.
- 7.2.15 The Council's viability consultants do not dispute that the scheme would not be viable if the full affordable housing provision at 30% was required alongside the other planning obligations detailed above. However, they have concluded that this site can viably contribute £830,118 towards planning obligations and have suggested an overage clause be included in a S106 legal agreement, to ensure that further contributions are made should there be any uplift in sales values. Financial viability appraisals are necessarily built on predicted and estimated costs and values. Under an overage arrangement, the applicant

would have to provide information on actual costs and values once the development has been constructed and the units sold. If it transpires that the development costs less to build than is anticipated, and/or that the apartments sell for more than expected, this increased income would then have to be paid to the Council in respect of the outstanding planning obligations. Naturally if the development does not generate any more money than expected, no additional payments would have to be made.

- 7.2.16 The applicants will not agree to an overage clause in a S106 agreement. This is because the applicant does not intend to develop the site themselves, but sell the land on and prospective purchasers will need certainty upon purchase and the agent has stated that an overage would prolong the sale of the sites. Whilst overage clauses work in some situations, it is understood that they can further compromise viability. This is because they introduce a degree of uncertainty and the potential that Councils and applicants may not agree or accept final development costs. Many lenders consider this to be unacceptable.
- 7.2.17 Given that the negotiations have stalled and an impasse reached, the application must be determined on the basis of the offer of a contribution of £104,000 towards off-site affordable housing provision and £32,519.91 towards open space and health infrastructure and tree planting (£136,519.91 in total).

Allocation of Obligations

- 7.2.18 As set out above, the total planning obligation requirements for this scheme amount to some £1,471m. Clearly the offered amount of £136,519.91 falls very substantially short of this (less than 9.3% of the required amount). Should planning permission be forthcoming, consideration must be given to the way in which this money would be used.
- 7.2.19 The applicant has stipulated that £104,000 was for off-site affordable housing. The other required obligations are:
- Local Health provision £18,260
 - Off site open space £64,333,56
 - Off site tree planting £80,000
- 7.2.20 The CCG have confirmed that they would object to the scheme without the requested contribution. The application site already benefits from being next to the Solaris, which includes public open space including play space and there is an area of privately owned public open space fronting the crescent on the Promenade, just to the north of the site which would benefit the occupants of the apartments. As such, it is considered that the health contribution should be given priority and the remaining £14,259.91 should contribute to open space improvements and tree planting in accordance with the Greening Blackpool SPD and the priorities in the Green and Blue Infrastructure Action Plan and the Tree Strategy at the time the money becomes available.

7.3 Visual Impact

- 7.3.1 Paragraph 128 of the NPPF confirms that decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change and the importance of securing well-designed and beautiful, attractive and healthy places.

- 7.3.2 The NPPF at paragraph 131 states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, with good design being a key aspect of sustainable development. Paragraph 135 explains that developments should function well and add to the overall quality of an area, be visually attractive and sympathetic to local character and history while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.3.3 Paragraph 139 states that significant weight should be given to outstanding or innovative design which promotes high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of the their surroundings.
- 7.3.4 Policies CS7 and DM17 relate to design and require new development to be well designed and to enhance the character and appearance of the local area, being appropriate in terms of scale, mass, height and the relationship with adjoining buildings. CS7 also supports contemporary and innovative expressions of design, where appropriate. Policy DM17 expects the scale and massing of new buildings to be appropriate for their use and location and be related to the scale, massing and height of neighbouring buildings and should have regard to the pattern, size and arrangement of streets, buildings and building lines and confirms that particular attention should be paid to the design of new buildings that would be highly visible due to the prominence of the location or the scale of the development.
- 7.3.5 The site occupies a prominent position on the Promenade. The Promenade is considered to be Blackpool's shop window and it is imperative to ensure that all new development is of the highest standard and appropriate to its context. As built, the original 1920's crescent comprised two attractive, three storey long terraces which followed the curve of the crescent and wrapped around on to the side streets, bisected by Wimbourne Crescent and fronted by enclosed green space. A similar crescent was built to the south of the Solaris, creating a very strong symmetrical setting for the locally listed building. The application site was part of the southern terrace of the crescent up until the demolition of the Palm Beach and Warwick hotels in 2016/17 and still forms an end terrace with holiday accommodation fronting Harrowside West. The original terraces were uniformly designed, but have been unsympathetically extended over the years, in to the roof space and through the provision of front sun lounges. Furthermore, the redevelopment of the adjacent site for the Hampton by Hilton has certainly changed the character of the crescent and broken any strong symmetrical design bonds and any consistent materials palette.
- 7.3.6 A re-development scheme on this site has been subject to pre-application advice and the applicant has also undertaken their own publicity in order to gauge public opinion on the proposals. The details of the public consultation are set out in a Statement of Community Involvement section of the Planning Statement, which supports the application. The applicants' public consultation related to a previous iteration of the scheme for a seven storey building with 41 apartments. Given the prominence of the location, significant consideration has been given to the design and appearance of the building. In particular officers were keen to ensure that the visual bulk of the building was minimised so that it would not dwarf its neighbours or look out of place in its setting. As a result of feedback from officers, the scale of the development has been reduced to part four, part five and part six storeys and the number of apartments have been reduced to 40. In accordance with para 137 pf the NPPF, applications that can demonstrate early, proactive and effective engagement with the community should be looked upon more favourably than those that cannot.

- 7.3.7 The south and west elevations would be street facing. The bulk of the southern elevation of the building would be four storeys tall (11.7m). A fifth floor would extend to around 14.5m tall with a setback from the main elevation by between 1.1 and 2.1m and the sixth floor would be 18m tall with a setback from the main front elevation of between 2.2 and 4m. The bulk of the western elevation would be five storeys tall (14.5m), with the sixth floor extending to 18m tall with a setback from the main front elevation of between 1 and 2m. A lift shaft set well back from either street elevation would bring the maximum height of the development to around 19m. This stepping up of the building to the south west corner would assist in terms of the transition between the building and the remainder of the crescent. The building would be of a very similar scale to the part 4, 5 and 6 storey Coastal Point development to the south and would therefore reintroduce some level of symmetry to the setting of the Solaris.
- 7.3.8 The street facing elevations would be built from a light coloured brick with white stone/chalk textured columns to create large full height apertures, arranged in ordered bays, with both strong vertical and horizontal emphasis. Each aperture would have either full height windows with decorative curtain wall or brick panels, inset balconies or full height window/doors onto terraces. The ground floor apertures would have decorative light coloured honeycomb bricks with ventilation gaps for the car parking area, behind ramped landscaping sections. A flat roof would over hang the set-back sixth floor, supported by white columns to provide further depth and interest at high level. The sixth floor elevations would have a darker, patterned curtain walling rather than brick elevations, to further help reduce the bulk of the top floor. Like Coastal Point, the main corner would project towards the highway, but unlike Coastal Point, which is very angular with hard corners, the south and west elevations would flow into one and would curve around the south west corner to provide a focal point.
- 7.3.9 The pedestrian entrance from Harrowside West would be surrounded by thicker bands of brick and would have a void above to make the entrance legible. The building would have a consistent architectural style and use the same materials across all elevations. The variety of heights and sections and range of materials is considered to effectively break up the massing and visual scale of the building. A condition precluding the installation of rainwater goods or soil pipes on the street facing elevations is considered necessary in order to safeguard the design quality of the building.
- 7.3.10 The non-street facing elevations are understandably less detailed but well-designed nonetheless, with a greater vertical and more regimented emphasis to the fenestration, with recessed blind bays within the brickwork.
- 7.3.11 Notwithstanding the information submitted, conditions could be attached to any permission granted to agree the finer details of the materials and detailed sections of the elevations to ensure that recessed and projecting features are set-back/push forward to a meaningful degree to secure appropriate articulation and visual interest. Appropriate boundary treatments and any external lighting can also be agreed by condition.
- 7.3.12 A similar outline proposal for 49 apartments is proposed at the north end of the crescent (22/0178 refers) and a corresponding report is to be considered on the same Planning Committee agenda. If approved, it would be unreasonable and unenforceable to impose a condition requiring that both schemes are implemented and so each proposal must be determined on its own merits. However, if both schemes were to come forward, they would effectively bookend the crescent and set the tone for the redevelopment of the remainder

of the crescent to be of similar scale and design as the Hampton by Hilton, in order to maintain some architectural coherence and symmetry to the crescent.

- 7.3.13 Landscaping is a reserved matter and so cannot be considered at this stage. However, there are opportunities for soft landscaping on the Promenade and Harrowside West which would assist in softening the development and bring about biodiversity benefits.
- 7.3.14 In light of the above, the development is considered to be attractive, well designed and appropriate visually in this prominent location.

7.4 Heritage Impact

- 7.4.1 As stated earlier in the report, this crescent and the crescent to the south were built out in the 1920's, although much of the southern crescent has since been redeveloped. The Solaris building was designed by JC Robinson in 1938 as a 'Solarium, Winter Garden and Sun Lounge'. It is a single storey flat roof construction, symmetrically designed with rustic brick and cream faience dressings, set back from the Promenade with landscaping on all sides. The crescents either side compliment the strong symmetry of the streetscape.
- 7.4.2 Paragraph 209 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policy CS8 supports proposals that enhance the setting and views of heritage assets.
- 7.4.3 The Coastal Point development to the south of the Solaris is 4, 5 and 6 storeys tall and the proposed building would be of a very similar scale. The proposed development, whilst not a copy of Coastal Point, would include light elevations with full height openings and would therefore reintroduce some level of symmetry to the setting of the Solaris and this would improve the balance of the setting of the non-designated heritage asset.
- 7.4.4 It is considered that the development would not harm the significance of the non-designated heritage asset and would improve its setting, which weighs in favour of the application.

7.5 Amenity Impact

- 7.5.1 Para 135 of the NPPF states that development should create places that safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy CS7 would not permit development that causes unacceptable effects by reason of visual intrusion, overlooking, shading, noise and light pollution or any other adverse local impact on local character or amenity. Policy DM1 requires housing designs and layouts to safeguard privacy, sunlight, daylight, outlook and amenity for the neighbours and future occupiers and to provide adequate private and useable amenity space for occupants. Policy DM36 is permissive of development where it is compatible with adjacent uses and would not lead to unacceptable adverse effects on health, amenity, safety and the operation of surrounding uses.
- 7.5.2 Policy DM1 requires that 20% of new build dwellings must meet the Nationally Described Space Standards (NDSS). The apartments would meet generally meet or exceed the floor space standards in the NDSS which is an indicator of good quality accommodation. Whilst

there would be no private amenity spaces, 80% of the apartments would have access to a balcony or terrace of varying sizes and there is open space in the crescent to the north of the development and to the south at Solaris with the Promenade and beach beyond to the west. The majority of the apartments would have direct views over the sea or the park at Solaris (90%) and so would have highly desirable outlook. The four apartments which would face east would be served by full height windows and would have a reasonable outlook towards Clifton Drive. Plans have been submitted to demonstrate that the refuse storage area is located so that there would not be excessive bin drag distances.

7.5.3 In terms of neighbour amenity, one objection has been received relating to the scale of the building stating that it should be no higher than the surrounding development. The building would be no higher than the Coastal Point residential development to the south of the Solaris, less than 200m away, so this scale has been considered to be acceptable in a very similar site circumstances. The building would step up to the south west corner, thereby reducing impacts on residential amenity. In any case, the Design and Access Statement includes sun path analysis which demonstrates that the development would reduce direct light levels to the rear of properties fronting Clifton Drive only in the winter months as the sun is setting. This is not considered to be a material impact which would warrant refusal. Clearly there would be an impact on outlook as the building would be visible from the rear of properties fronting Clifton Drive and would be taller than the current building on the site. However, the outlook would be over the rear of well-designed building between 35 and 50m away so the outlook would not have an unacceptable impact on outlook. There would be no privacy or overlooking issues for those properties fronting Clifton Drive given a separation distance in excess of 50m between the properties on Clifton Drive and the closest east facing windows.

7.5.4 The adjoining property to the east is holiday accommodation. There would be no loss of light, overlooking or loss of privacy at that property and the Hampton by Hilton hotel to the north has a largely blank gable, with just corridor windows on that facing elevation. As such, the proposal would not have any unacceptable impacts on the amenities of residents or visitors.

7.6 Access, highway safety and parking

7.6.1 Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 113 states that all developments that will generate significant amounts of movement should be required to provide a Travel Plan, and the application should be supported by a Transport Assessment so that the likely impacts of the proposal can be assessed. The application is supported by a Transport Statement which states that the anticipated traffic generation is expected to have a negligible impact on traffic capacity of the adjacent highway network and that the proposed apartment scheme would result in 9% less traffic trips compared to existing hotel which is considered to provide a highway benefit. A Travel Plan can be agreed by condition, to ensure that sustainable travel options for future residents are enabled and encouraged.

7.6.2 Pedestrian and vehicle access would be separate and both would be taken from Harrowside West. The vehicle access has been widened in accordance with comments from the Local Highway Authority.

- 7.6.3 The adopted parking standards are guidance and Appendix G1 to the Local Plan Part 2 confirms that provision will be discussed and agreed on a case by case basis. The standards suggest that for a scheme of 12x 1 bed apartments, 27x 2 bed apartments and 1x 3 bed apartment, 55 spaces would be appropriate. However the site is accessible, being on both bus and tram routes and is less than 500m to the nearest train station and is close to employment opportunities, shopping, leisure and education facilities. Members are also advised that a parking ratio of one space per flat was approved for the Coastal Point scheme and that the applications for that site that are also on this agenda with positive recommendations would retain that ratio.
- 7.6.4 The majority of the car parking provision (38 spaces) would be located on the ground floor, accessed via an undercroft, with a further 6 spaces accessed off the back street (45 in total). The Transport Statement confirms that this parking provision and the parking accumulation analysis demonstrates that the proposed scheme should not result in any off-site parking demands and therefore, the scheme does not have the potential to create any highway safety issues through displaced car parking. The Local Highway Authority has confirmed that one space per apartment would be sufficient. 45 spaces are proposed to service the 40 apartments and this is considered to be acceptable.
- 7.6.5 The Local Highway Authority has commented that the spaces outside the archway are at right angles to the access, which is undesirable and complicated and has asked for measures to be implemented to prevent vehicles being able to drive over the footway to park on the spaces immediately at the back of the footway on Harrowside West. There would be sufficient car parking spaces without the spaces fronting Harrowside West, so the arrangement of these spaces and measures to prevent access over the footway could be agreed by condition.
- 7.6.6 There would be four accessible spaces and four EV charging spaces, a secure room for cycle storage and a motorbike parking space, and these features accord with the parking standards. The Local Highway Authority notes that there will be difficulty in providing additional charging points in the future, but charging points could be placed between the accessible spaces when demand increases. How the spaces are allocated and managed would be a matter for a management company to address.
- 7.6.7 In terms of on-street parking provision, it is acknowledged that parking is at a premium in the area, particularly during the season and the proposal has received two objections citing car parking as a major issue locally. Providing the new access and loading bay on Harrowside West would result in the loss of around four on-street parking spaces and the reinstatement of the footpath where the existing access is located, would not create compensatory on-street parking due to this being on a corner and the presence of double yellow lines. The existing access on the corner is not desirable and the required access could not be located elsewhere, so must be accepted if the site is to be redeveloped. This does weigh against the scheme somewhat in the planning balance. However, the use of the building itself should not generate additional on-street parking pressures.
- 7.6.8 The Local Highway Authority have confirmed that off-site highway works will be required and amendments to TRO's to provide a loading bay on Harrowside West for servicing and waste collection, no waiting on the remainder of the Harrowside West frontage, the reinstatement of redundant crossings, repaving of the frontage footways and provision of the new vehicle access and lighting. These works can be secured by condition. A condition requiring details of lighting in the undercroft and signage on the undercroft which gives

priority to entering vehicles is necessary in the interests of safety and to avoid vehicle conflicts.

- 7.6.9 Subject to appropriately worded conditions, the proposal could be delivered without unacceptable impacts on highway safety or severe cumulative road network impacts.

7.7 Flood Risk and Drainage

- 7.7.1 Paragraph 173 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

- 7.7.2 Policy CS9 largely reiterates paragraph 173.

- 7.7.3 The footprint of the development is in Flood Zone 1 but parts of the site dip into Flood Zones 2 and 3 and the site is surrounded on two sides by Flood Zones 2 and 3. There is no habitable accommodation on the ground floor and the submitted FRA states that it is likely that evacuation will not be required and that the site itself would be a safe refuge zone given its position outside of the mapped flood zones whilst also providing routes to higher ground. The FRA includes future proofing mitigation measures for the ground floor including using solid floors with concrete or tiled surfaces etc. The EA have offered no objections following the submission of an updated FRA, subject to strict accordance with the FRA and this can be required by condition.

Sequential test

- 7.7.4 Given that parts of the site are in Flood Zones 2 and 3, a sequential test needs to be applied in accordance with para 167 of the NPPF and Core Strategy Policy CS9. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be permitted if there are reasonably available site appropriate for the proposed development in areas with a lower risk of flooding.
- 7.7.5 The 2019 update to the Strategic Housing Land Availability Assessment (SHLAA) identifies sites which are suitable for housing development. The SHLAA identifies the following sites as suitable for between 40 and 50 dwellings:
- Ryscar Way (SN/007) – Permission 20/0794 for 51 dwellings is currently being implemented so the site is not available

- Mexford House (SN/043) – Current land owner is seeking permission to convert the building into 87 flats (ref: 22/0512) and so the land isn't currently available for re-development
- Coopers Way (SC/005) – Site is built out
- Talbot Gateway (SC/016) – Around 50 apartments are expected to come forward under the strategic allocation, but a site has yet to be identified
- Devonshire Road Hospital Site (SC/063) – Permission has recently been granted to re-locate the courts on to this site (ref: 23/0777) so this site is not available
- 200 Watson Road (SS/017) – Site has been built out
- Co-op Sports and Social Club (SE/033) – Site has been built out

7.7.6 The Council adopted Part 2 of the Local Plan in February 2023 and this allocates 25 sites for housing which the Council's Strategic Flood Risk Assessment (SFRA) identified as being in Flood Zone 1 (at the time of writing). This application is for 40 dwellings on the Promenade. The only allocated housing site on the Promenade that could accommodate 40 dwellings is 585-593 New South Promenade on the same crescent as the application site. However, part of that site is now also within Flood Zone 3 so it would not be a sequentially preferable site. Off the Promenade, the only sites that are not already being built out, area available and could accommodate around 40 dwellings are:

- South King Street (HSA1.8) – Around 47 dwellings expected to be delivered. The Council has recently cleared the site to be used as a car park (22/0581 refers) so this site is not currently available
- Land at Jepson Way (HSA1.13) – Around 57 dwellings expected to be delivered. The site is not currently available as a new link road and other infrastructure is needed before housing can be delivered on this site

7.7.7 As such, there are identified sites at lower risk of flooding and are reasonably available and so the sequential test is satisfied.

Exceptions test

7.7.8 Residential uses are classified as 'more vulnerable' in terms of flood risk and therefore, if following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied.

7.7.9 The Exception Test requires applicants to demonstrate that their development would generate sufficient public benefit to justify the grant of planning permission in the face of flood risk. Even if sufficient public benefit can be identified, the Exceptions Test still requires a scheme to evidence that the development can be made safe.

7.7.10 In order to pass the exception test, it should be demonstrated that:

- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Development must pass both elements of the test to be allocated or to be acceptable in terms of flood risk.

7.7.11 The Environment Agency are satisfied that the development is safe and test (b) is therefore satisfied.

7.7.12 In terms of test (a), the proposal would involve the re-development of a brownfield site for good quality housing, providing a quantitative and qualitative improvement to the local housing stock. The proposal would bring about a visual enhancement of the Promenade in a sustainable location, close to services, facilities and public transport routes. As such, the proposal provides wider sustainability benefits to the community that outweigh flood risk and part (a) of the Exceptions Test is also satisfied.

Drainage

7.7.13 Policy CS9 precludes the discharge of surface water into the existing combined sewer network. If unavoidable, development must reduce the volume of surface water run-off discharging from the existing site in to the combined sewer system by as much as is reasonably practicable. Policy DM31 requires surface water to be discharged via the most sustainable drainage option available and on previously developed sites, applicants should target a reduction from pre-existing discharges of surface water to a target of greenfield rates and volumes so far as reasonably practicable, with a starting point of a maximum of a 30% reduction in run off rates. All new development should include sustainable drainage systems and should reduce areas of existing impermeable surfaces.

7.7.14 The submitted Drainage Strategy states that greenfield runoff is not achievable on this site as it is completely impermeable and the substructure is unlikely to be suitable for infiltration methods and it is not possible to provide sufficient surface water storage on site. The site will need to connect to the combined sewer, however, the Strategy confirms that betterment over the current brownfield runoff rates is achievable through the use of storage crates and flow controls.

7.7.15 United Utilities (UU) have confirmed that the drainage proposals are acceptable in principle, but the plans are currently incomplete and further detailed information is required. As such, UU have required the imposition of their standard drainage conditions.

7.7.16 Subject to the imposition of appropriate conditions, no unacceptable flood risk or drainage issues are identified.

7.8 Biodiversity impact

7.8.1 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Mandatory biodiversity net gain does not apply to major applications which were submitted before the 12th February 2024. However, NPPF paragraph 180 states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value and soils and recognising the wider benefits from natural capital and ecosystem services of trees and minimising impacts on and providing net gains for biodiversity. Policy CS6 requires all development to incorporate new green infrastructure and seeks to reinforce the protection of international, national and local sites of biological and geological conservation importance. Policy DM35 requires biodiversity net gains where opportunities exist.

7.8.2 The application is supported by Habitats Regulations Assessment (HRA). The objective of the HRA is to identify any aspects of the Project that would cause 'likely significant effects' on the interest features of nearby European sites. Natural England notes that the HRA has not been produced by Blackpool Council, but by the applicant and gives advice on the basis that the Council intends to adopt the HRA to fulfil its duty as competent authority.

- 7.8.3 Natural England have not objected subject to appropriate mitigation measures set out in the HRA, to protect Liverpool Bay Special Protection Area (SPA), Ribble and Alt Estuaries SPA, the Ribble and Alt Estuaries Ramsar site and the Ribble Estuary Site of Special Scientific Interest (SSSI) from pollution and recreational disturbance. Accordingly, appropriately worded conditions are listed at the end of this report.
- 7.8.4 In terms of on-site biodiversity, a Bat Survey supports the application and found no evidence of bats using the buildings to roost, with no bat activity recorded during the activity survey. The Survey sets out certain precautions, reasonable avoidance measures and mitigation measures in relation to bats and nesting birds and a condition requiring the development to proceed in accordance with those measures would safeguard against harm to bats and birds.
- 7.8.5 The site is currently sealed with no ecological features or natural habitat but there are opportunities to improve biodiversity with the agreement of good quality landscaping, which would be agreed at reserved matters stage. A condition requiring the agreement of other ecological enhancements around the site is considered necessary to ensure the development contributes towards habitats and foraging opportunities for birds and small mammals in accordance with policies CS6, DM21 and DM35. Given the high quality and consistent design of the building, 'stuck on' off the shelf standard surface mounted bird and bat boxes would be undesirable, but integral bird and bat boxes could be provided without compromising the design aesthetics of the building.
- 7.8.6 As such, subject to appropriately worded conditions, the site could be re-developed without harming designated sites and could enhance biodiversity locally through the provision of landscaping and habitats.

7.9 Environmental impact

- 7.9.1 Policy CS10 does not require any particular BREEAM rating for residential development. However, Policy DM1 expects all new housing development to consider the incorporation of renewable energy technology including solar and ground/air source heat pumps and grey water harvesting. A condition requiring the submission of a Sustainability Strategy would ensure that energy saving measures are incorporated into the development where opportunities exist.
- 7.9.2 Policy DM36 seeks to secure a safe environment for occupants that does not displace contamination and to safeguard controlled water from pollution. Environmental Protection colleagues have raised no concerns regarding contaminated land.
- 7.9.3 The site is not in an Air Quality Management Area (AQMA) and no unacceptable impacts on air quality are anticipated during the operational phase.
- 7.9.4 The submission and agreement of a Demolition and Construction Management Plan can be required by condition to safeguard residential and visual amenity, highway safety and environmental safeguarding during the construction phase.

7.10 Other Issues

- 7.10.1 Policy DM18 of Part 2 requires new developments to demonstrate provision of high-speed broadband. However, it is understood that this expectation now forms part of the Building

Regulations, and so it is not considered appropriate to duplicate the requirements of other legislation through this application.

- 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 The National Planning Policy Framework is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Sustainability comprises economic, environmental and social components.
- 7.11.2 Economically, the proposal would regenerate a prominent site on the Promenade for good quality permanent residential accommodation which would help to support local shops and services and some employment would be generated during construction. However, this would be true for any re-development of the site and so does not weigh heavily in the planning balance.
- 7.11.3 Environmentally, the scale of development in this location is considered to be acceptable and the high quality design of the development would visually enhance the area and the regeneration benefits carry substantial weight in the planning balance. Satisfactory biodiversity gains could be delivered by condition and through details in a Reserved Matters application. No unacceptable impacts on drainage or environmental quality are anticipated. The site is in a very accessible location with good access to a range of sustainable transport options. However, the proposal could not provide sufficient trees on site or off-site to meet the requirements of the Council's Greening Blackpool Supplementary Planning Document and this weighs against the proposal.
- 7.11.4 Socially, the proposed building would not have any unacceptable impacts on residential amenity in terms of light and privacy and would help re-balance the symmetry of the setting of a non-designated heritage asset. No unacceptable impacts on highway safety or the surrounding road network are anticipated and no unacceptable issues for flood risk are identified. The redevelopment of the site for modern, good quality accommodation would have wider social benefits through housing led regeneration and an increase in good quality housing stock and choice in the area and this carries substantial weight in the planning balance. However, the development would not provide the 30% affordable housing or meet other planning obligations in full and this weighs heavily against the scheme in the planning balance.

7.11.5 The applicant has submitted financial viability information seeking to demonstrate that is not possible for the development to meet the relevant planning obligations. Since first submission of this information, and over a very significant timescale of discussions and negotiations, the applicant managed to move from a position of offering no financial contributions, to offering £136,519.91 towards off-site affordable housing, open space, health infrastructure and tree planting. This is less than 10% of the calculated obligations.

7.11.6 Throughout the viability discussions, officers have been mindful of the need to find a pragmatic solution to enable a planning permission to be granted if possible. Continuum maintain that the scheme can contribute more towards meeting the required planning obligations if their higher residual land values were applied and recommend that an overage clause is included in a legal agreement, to catch any uplift in sales values. Whilst Continuum have understandably focused upon the financial credentials of this site and application in isolation, officers must consider the contribution this scheme could make towards achieving the Council's wider planning strategy in terms of delivering good quality homes which help re-balance the housing market and delivering regeneration.

7.11.7 In light of the above and on balance, the scheme is considered to offer sufficient benefits to out-weigh the lack of affordable housing and other planning obligations. In considering the planning balance, officers conclude that the scheme represents sustainable development and that planning permission should be granted.

8.0 FINANCIAL CONSIDERATIONS

8.1 The development would generate some Council Tax revenue but this is not a planning consideration and carries no weight in the planning balance.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

9.1 The Council Plan sets out two priorities. One is 'the economy: maximising growth and opportunity across Blackpool', and the other is 'communities: creating stronger communities and increasing resilience.

9.2 This application accords sufficiently with the communities priority as detailed above.

10.0 CONCLUSION

10.1 In light of the above, the proposal is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this view.

11.0 RECOMMENDATION

11.1 In light of the above, Members are respectfully recommended to adopt the Habitats Regulations Assessment and resolve to grant outline planning permission and delegate the matter to the Head of Development Management to issue an approval subject to the completion of a S106 legal agreement and the conditions listed at the end of this report.

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

- Landscaping

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

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

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

Location plan ref: 1984/1.2 recorded as received by the Council 25/08/2022
Proposed site layout plan ref: 1984/3.2.02A dated 08/08/2022
South Ground Floor plan ref: 1984/3.2.10A dated 08/08/2022
South First Floor plan ref: 1984/3.2.11A dated 08/08/2022
South Second Floor plan ref: 1984/3.2.12A dated 08/08/2022
South Third Floor plan ref: 1984/3.2.13A dated 08/08/2022
South Fourth Floor plan ref: 1984/3.2.14A dated 08/08/2022
South Fifth Floor plan ref: 1984/3.2.15A dated 08/08/2022
South Roof plan ref: 1984/3.2.17A dated 08/08/2022
Elevations South Bld - North plan ref: 1984/3.2.22A dated 08/08/2022
Elevations South Bld - West plan ref: 1984/3.2.20A dated 08/08/2022
Elevations South Bld - East plan ref: 1984/3.2.23A dated 08/08/2022
Elevations South Bld - South plan ref: 1984/3.2.21A dated 08/08/2022
Street Scene – New South Promenade plan ref: 1984/3.1.24B dated 08/08/2022
Street Scene – Harrowside West plan ref: 1984/3.2.25B dated 08/08/2022
South Site – Section AA plan ref: 1984/3.2.30A dated 08/08/2022
Refuse Collection South plan ref: 1984/3.2.40 dated 31/03/2023

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 (a) Prior to the commencement of any development, a sustainable surface water drainage strategy and foul 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.

(b) Prior to the commencement of any development, the design for a surface water drainage scheme, based on the approved strategy and in compliance with the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory

Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following:

- (i) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
 - (ii) Surveys and appropriate evidence to establish the position, capacity, ownership and interconnection of all bodies of water, watercourses, drains and sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;
 - (iii) A determination of the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice 'Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development and as appropriate during construction), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in metres AOD;
 - (iv) A demonstration that the surface water run-off would not exceed the equivalent greenfield rate **OR** a rate evidenced to be first agreed in writing by United Utilities.
 - (v) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing watercourses, culverts and headwalls or removal of unused culverts where relevant);
 - (vi) Flood water exceedance routes, both on and off site;
 - (vii) Existing and proposed ground and other surface levels demonstrating that run-off to adjacent land and highways will not occur except in the exceedance conditions and the exceedance routes as approved;
 - (viii) A timetable for implementation, including phasing where applicable;
 - (ix) Details of water quality controls.
- (c) Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the adopted sewerage system or to any privately owned sewerage either directly or indirectly.
- (d) The scheme agreed pursuant to part (b) of this condition shall be implemented in full and in full accordance with the approved details before the development hereby approved is first brought into use.
- (e) The developer shall provide as built drawings and certification of the completion of the drainage system as approved by a competent person.

Reason: To promote sustainable development, secure proper drainage of sewage and surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core

Strategy 2012-2027, Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document and the Blackburn, Blackpool and Lancashire Flood Risk Management Strategy.

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

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 5 The development hereby approved shall proceed in full accordance with the mitigation measures identified in the revised Flood Risk Assessment ref. TC-L10251-FRA DS-21, Issue 04, Version 04; dated 14 July 2022, prepared by Thomas Consulting.

Reason: In order to ensure that the development is safe from flooding and does not increase flood risk elsewhere in accordance with paragraph 167 of the NPPF, Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document and the Blackburn, Blackpool and Lancashire Flood Risk Management Strategy.

- 6 (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

DM36 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.

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

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

- 8 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.

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

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

- 10 No rain water goods, soil pipes or vents shall be installed on the New South Promenade or Harrowside West elevations unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance, design and architectural quality of the building in a very prominent Promenade position, in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17 and DM19 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 11 Prior to the commencement of development 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:

- provision of new highway crossings
- removal of redundant highway crossings
- repaving of the frontage footways
- amending Traffic Regulation Orders (TROs) in relation to new accesses
- provision of street-lighting
- provision of a loading bay on Harrowside West
- measures to prevent vehicles driving over the footway to access the car parking spaces at the back of the footway

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 document 2012-2023. 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.

- 12 Prior to the development first being occupied, signage inside the access arch which gives priority to entering vehicles shall be displayed and shall thereafter be retained.

Reason: In order to ensure that safe and convenient access is available to the car parking area in accordance with the provisions of 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 document 2021-2027.

- 13 Other than the spaces at the back of the Harrowside West footpath, prior to the development hereby approved being first brought into use, the parking provision shown on the approved plan(s), including the EV spaces and associated infrastructure, shall be provided and shall thereafter be retained and maintained as such.

Reason: In order to ensure that adequate and accessible parking provision is available to meet the needs of the development in the interests of highway safety, and to encourage travel to and from the site by ultra-low and zero emission vehicles 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.

- 14 (a) The development hereby approved shall not be occupied until a travel plan has been submitted to and agreed in writing by the Local Planning Authority.

The travel Plan shall include:

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

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

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy 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.

- 15 Before the development hereby approved is first brought into use the cycle storage shown on plan ref. 1984/3.2.02A dated 08/08/2022 shall be provided and shall thereafter be retained and maintained as such.

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.

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

- specify energy efficiency measures to be used within the development;
- specify renewable energy features to be used within the development;
- specify measures to reduce water consumption by the development.

The development shall thereafter proceed and be operated in full accordance with agreed the Sustainability Strategy.

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

- 17 The development hereby approved shall proceed in full accordance with the reasonable avoidance and mitigation measures identified in the Bat Survey and Method Statement dated 20/10/2022, prepared by Dave Anderson Batworker Ecological Consultancy.

Reason: In order to safeguard protected species 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 document.

- 18 Prior to first occupation, a scheme for the provision of home-owner information packs (as outlined in the Habitats Regulations Assessment completed for this application) highlighting the sensitivity of Liverpool Bay Special Protection Area (SPA), Ribble and Alt Estuaries SPA, the Ribble and Alt Estuaries Ramsar site and the Ribble Estuary Site of Special Scientific Interest (SSSI) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall:

- include the content of the home-owner information packs which must explain the conservation values of the identified SPA's, Ramsar site and SSSI, the potential impacts that can arise from residential development, explain the responsible behaviours in the vicinity of the housing development along with what would be required from residents to avoid undue ecological impact;
- the identification of Suitable Alternative Natural Green Spaces (SANGS) which should be used for recreation as an alternative to more sensitive sites;

- include a methodology for the distribution of the homeowner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In the interests of safeguarding designated sites and areas and biodiversity from recreational disturbance in close proximity to Liverpool Bay SPA, Ribble and Alt Estuaries SPA, the Ribble and Alt Estuaries Ramsar site and the Ribble Estuary SSSI in accordance with Policies CS6 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31, DM33, DM35 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

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 45 degree 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
- all operational plant will be well maintained and turned off when not in use
- bunded fuel storage and refuelling areas shall be located away from any drains;
- appropriate spill management equipment is to be kept on-site and capable of being effectively utilised by trained operatives to contain any accidental spillage within any part of the operational area;
- a toolbox talk is to be completed by a suitably qualified ecologist to ensure contractors are aware of the Liverpool Bay Special Protection Area (SPA), the Ribble and Alt Estuaries Special Protection Area, the Ribble and Alt Estuaries Ramsar and the Ribble Estuary Site of Special Scientific Interest (SSSI) and their ecological importance; and
- a 'Site Tidy' protocol is enforced on-site. All litter is to be appropriately controlled, whilst on-site materials are to be adequately stored and secured over-night.

Reason: In the interests of safeguarding designated sites and areas and biodiversity in accordance with Policies CS6 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31, DM33, DM35 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

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

- Provision of integrated bird and bat boxes

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

- 21 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 and shall include lighting details for the undercroft area.

Reason: In the interest of the appearance of the site and locality, to safeguard the amenities of nearby residents and to ensure that the development is safe and accessible 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 document 2012-2027.

- 22 Before the development hereby approved is first brought into use the refuse storage shown on plan ref. 1984/3.2.02A dated 08/08/2022 shall be provided and shall thereafter be retained and maintained as such. No bins or refuse shall be stored forward of the front elevation of the building other than on the day of presentation for collection.

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

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

Reason: In order to safeguard the living conditions of the occupants of the development and nearby residential properties in accordance with Policies CS7 and CS12 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.

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

Reason: In order 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 DM20 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 25 At least 21 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 (eg 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 Civil Aviation Authority Advice Note 4 'Cranes & Other Construction Issues'.

Reason: In the interest of aerodrome safeguarding and in accordance with Policy DM42 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document 2012-2027.

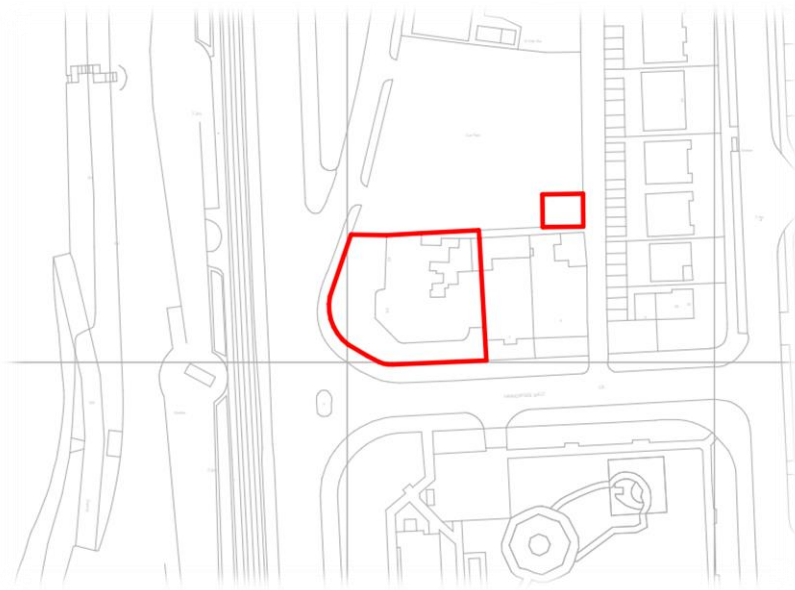
ADVICE NOTES TO DEVELOPERS

1. Non-Road Mobile Machinery:

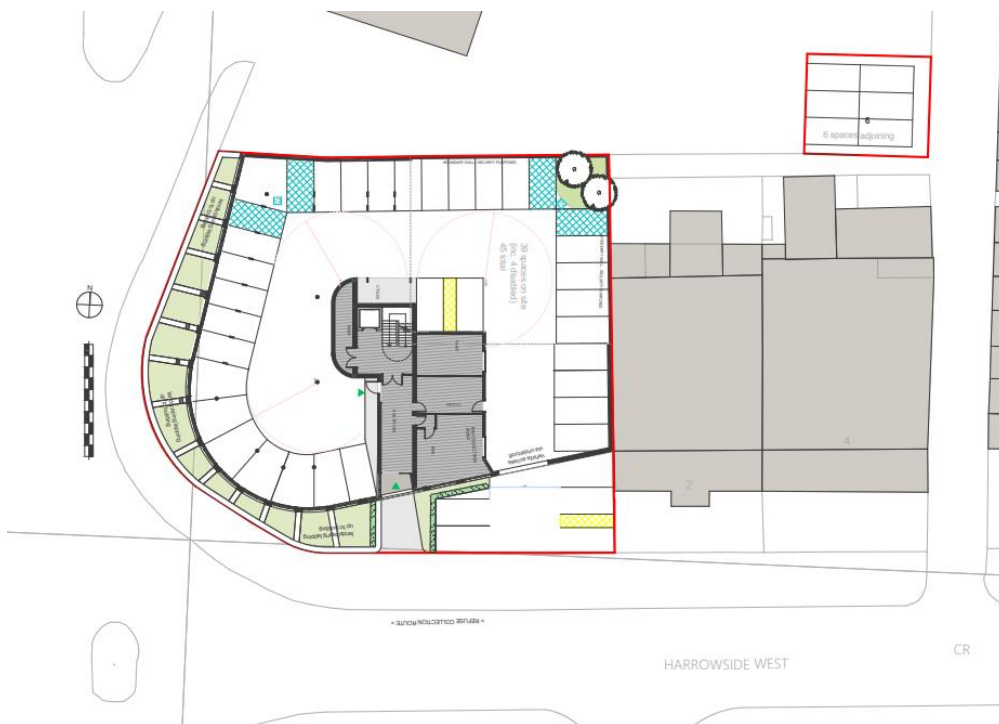
Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, the machinery used should meet or exceed the latest emissions standards set out in End 2 Regulation (EU) 2016/1628 (as amended). This should apply to the point that the machinery arrives on site, regardless of it being hired or purchased. Use of low emission technology will improve or maintain air quality and support developers in improving and maintaining local air quality standards and support net zero objectives. The item(s) of machinery should also be registered (where a register is available) for inspection by the local authority. Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs, etc.

Appendix 5a: 22/0168 – New South Prom – South Site – plans

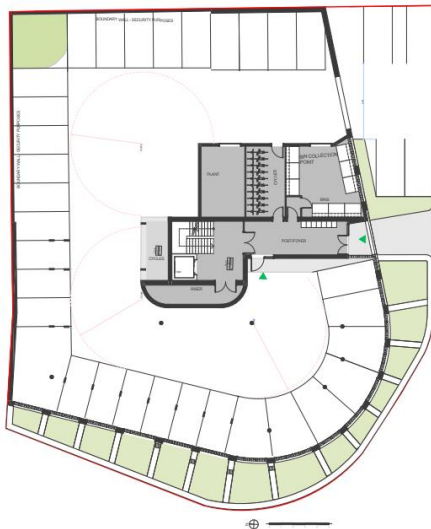
Location plan:



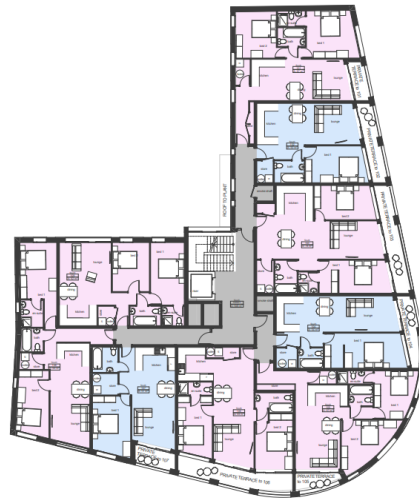
Proposed site layout plan:



Ground floor plan:



First, second and third floor plan:



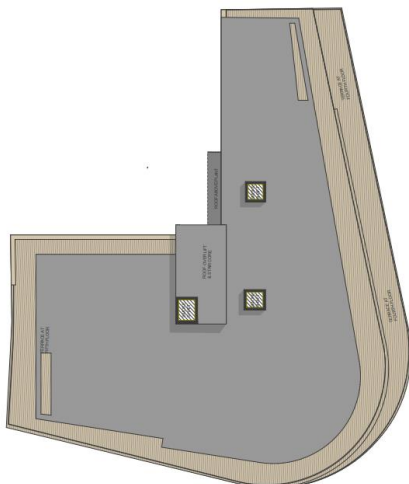
Fourth floor plan:



Fifth floor plan:



Roof plan:



Proposed west (New South Promenade) elevation:



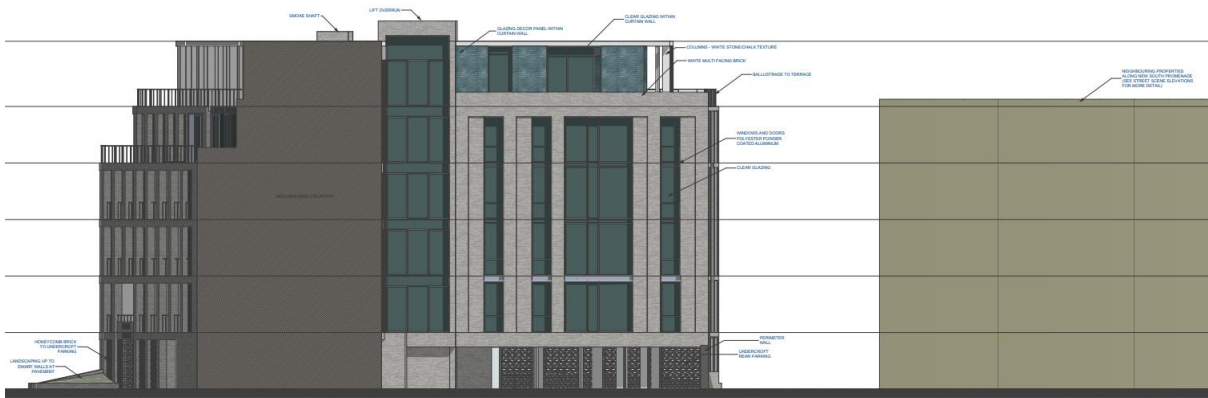
Proposed south (Harrowside West) elevation:



Proposed north elevation:



Proposed east elevation:



Visual:



Visual:



Visual looking south towards Coast Point:



Visual:



Visual:



**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	22/0178
Ward:	Waterloo
Application type:	Major Outline application
Location:	569-577 NEW SOUTH PROMENADE, BLACKPOOL, FY4 4JN
Proposal:	Erection of part a 4, 5 and 6 storey building comprising 49 self-contained permanent apartments with associated cycle/waste storage, and provision of 49 car parking spaces with access from New South Promenade following demolition of existing buildings (Outline application for access, appearance, layout and scale).
Recommendation:	That Committee adopts the Habitats Regulations Assessment and resolves to support the proposal and delegate the application to the Head of Development Management for approval subject to the completion of a S106 legal agreement and the conditions listed at the end of this report.
Recommendation Summary:	The application does not provide the full range of planning obligations. However, the applicant has sought to demonstrate that full compliance would not be financially viable. Despite the site not being allocated for strategic housing delivery, the regeneration benefits and provision of 49 new good quality homes is considered to weigh sufficiently in favour of the proposal to justify the grant of planning permission.
Meeting date:	9 April 2024
Reason for bringing to Committee:	The application is a major proposal that is of general public interest, particularly given the recommendation to approve without securing the full suite of planning obligations.
Case officer:	Clare Johnson
Case officer contact:	01253 476224

1.0 SITE DESCRIPTION

- 1.1 The 0.24 hectare site is on a very prominent corner, to the south of the junction with New South Promenade and Burlington Road West. The site is roughly 'L' shaped although the north-west corner pushes out west and follows the curve of the road junction.
- 1.2 The site is the northernmost corner of a terraced crescent which is set back from the main Promenade frontage by two symmetrical parcels of enclosed green space and access roads.

There is three and four storey holiday accommodation on the site comprising The Colwyn hotel, Hotel Skye and the Trafford Hotel, which have around 70 hotel bedrooms between them, and the Sandpiper Holiday Apartments which provides 9 holiday flats. The Trafford hotel does not appear to have been trading for some time. The properties are around 12.5m tall and all have front sun lounges and the Colwyn Hotel also has a mansard roof lift. There are informal forecourt parking areas to the frontages, and much of the rear areas which are accessed off the back street have been covered over with various extensions and outbuildings, some of which are in a dilapidated state.

- 1.3 The properties have brown brick elevations with cream tiled details around the upper floor windows, including evenly spaced first floor bay windows which would have originally carried down to ground floor. The terrace has frontages on both New South Promenade and Harrowside West.
- 1.4 The application site adjoins similarly designed and scaled holiday accommodation to the south and east and there is a three storey terrace to the rear fronting Clifton Drive, which appears to largely comprise holiday accommodation which has been extended towards the back street. To the north, there is also similarly designed and scaled holiday accommodation with recently constructed five storey Boulevard Hotel and the Pleasure Beach beyond.
- 1.5 There are parking restrictions in the form of double yellow lines to the front of the property and a parking bay along the full length of the crescent, and dropped crossings along much of Burlington Road West. On-street parking in the area is very over-subscribed.
- 1.6 The Trafford Hotel and Hotel Skye appear to be closed, but the Colwyn and the Sandpiper do appear to be trading. This stretch of New South Promenade is dominated by holiday accommodation which benefits from being close to leisure assets such as the Pleasure Beach, the Sandcastle Waterpark and the beach.
- 1.7 The site is identified as protected holiday accommodation in the Pleasure Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Holiday Accommodation Supplementary Planning Document.
- 1.8 The site is within the aerodrome safeguarding area, is surrounded by Flood Zones 2 and 3 and is within the buffer zone of the Blackpool South Railway Line Biological Heritage Site. The site is also within 1km of the Ribble & Alt Estuaries Special Protection Area (SPA), the Ribble & Alt Estuaries RAMSAR site and the Ribble Estuary Site of Scientific Interest (SSSI). No other designations or constraints are identified.

2.0 PROPOSAL

- 2.1 The application seeks outline permission for the access, appearance, layout and scale for a part 4, 5 and 6 storey building comprising of 49 self-contained apartments with associated cycle/waste storage, following the demolition of existing holiday accommodation on the site. The principle access to the site would be from the crescent, including access to 49 car parking spaces to the rear.
- 2.2 The application has been supported by:
 - Planning Statement
 - Design and Access Statement
 - Transport Statement
 - Flood Risk Assessment and Drainage Strategy

- Fire Statement
- Bat Survey
- Accessibility Questionnaire
- Habitats Regulation Assessment
- Phase 1 Desk Top Study
- Viability Assessment

3.0 RELEVANT PLANNING HISTORY

The application site:

- 3.1 08/0095 (site included the adjacent plot to south and the southern half of the crescent) – Outline application for the erection of six new buildings rising to between 11 and 13 storeys in height, comprising 300 new dwellings and holiday accommodation together with 2 restaurant / cafe uses and associated car parking, servicing and landscaping. Refused on the grounds of scale/mass and spacing of the blocks and harm to the amenities of Clifton Drive residents, overbearing impacts and visual intrusion, lack of a comprehensive resulting in piecemeal development, inadequate transport evidence, access, parking and servicing arrangements and lack of Public Open Space or Affordable Housing provision.

585-593 New South Promenade and 1 Wimbourne Crescent to the south:

- 3.2 17/0193 - Outline application for the erection of part 3 / part 4 / part 5 / part 6 storey (approximately 16.4m tall) block of 88 self-contained permanent flats with car parking for 88 vehicles, access and associated works, following demolition of existing hotels. Outline permission for access, layout, appearance and scale. Granted 09/05/2017
- 3.3 16/0473 - Outline application for the erection of part 5 /part 6 / part 7 storey (just over 19m tall) block of 91 self-contained permanent flats with car parking for 84 vehicles, access and associated works following demolition of existing hotels. Refused on the grounds of scale/mass and number of flats proposed and harm to the character of the area and the amenities of Clifton Drive residents, insufficient parking and the lack of holiday accommodation.
- 3.4 15/0451 - Outline application for the erection of part 5 /part 7 storey (just over 19m tall) block of 99 self-contained permanent flats with car parking for 84 vehicles, access and associated works following demolition of existing hotels. Refused on the grounds of scale/mass and number of flats proposed and harm to the character of the area and the amenities of Clifton Drive residents and insufficient parking.
- 3.5 09/0815 – Outline application for the erection of residential development of between 3 and 11 storeys, comprising 166 apartments, with leisure facilities and associated car parking, servicing and landscaping (outline proposal). Refused 22/12/2009 on the grounds of lack of holiday accommodation, Public Open Space or Affordable Housing provision and inaccurate plans.

595-601 New South Promenade (Hampton by Hilton) to the south:

- 3.6 15/0271 - Erection of a four storey building to form a 130 bedroom hotel with associated car park for 38 vehicles, cycle/ motorcycle parking, bin store, sub-station and servicing arrangements, following demolition of the existing buildings. Granted 19/08/2015

- 3.7 20/0352 - Erection of a four storey extension to the hotel to form an additional 74 bedrooms; single storey rear extension, plant room on the roof and additional parking spaces to the rear, with new access/ egress to the car park (Hampton by Hilton extension). Granted 19/09/2020
- 3.8 09/0253 - Outline application for the erection of 120 bedroom hotel of between two and eleven storeys in height, including health club/spa, pool/gym and penthouse flat, with associated car parking at basement and ground level and servicing. Granted 18/05/2009 and renewed 04/09/2012

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

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

- Section 5 Delivering a Sufficient Supply of Homes
- Section 8 Promoting healthy and safe communities
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving well-designed places
- Section 14 Meeting the Challenge of Climate Change, Flooding, and Coastal Change
- Section 15 Conserving and Enhancing the Natural Environment

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 (Core Strategy)

4.3.1 The Blackpool Local Plan Part 1: Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS2 Housing Provision
- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS10 Sustainable Design and Low Carbon and Renewable Energy
- CS11 Planning Obligations
- CS12 Sustainable Neighbourhoods
- CS13 Housing Mix, Standards, and Density
- CS14 Affordable Housing
- CS15 Health and Education
- CS23 Managing Holiday Bed Spaces
- CS27 South Blackpool Transport and Connectivity

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

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

- DM1 Design Requirements for New Build Housing Developments

- DM10 Promenade and Seafront
- DM17 Design Principles
- DM18 High Speed Broadband for New Developments
- DM19 Strategic Views
- DM21 Landscaping
- DM25 Public Art
- DM31 Surface Water Management
- DM33 Coast and Foreshore
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM41 Transport Requirements for New Development
- DM42 Aerodrome Safeguarding

4.5 Other Relevant documents, guidance and legislation

- 4.5.1 Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.
- 4.5.2 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Mandatory biodiversity net gain does not apply to major applications which were submitted before the 12th February 2024. However, the Council will seek to secure biodiversity gains where practicable in accordance with Section 15 of the NPPF and Policy DM35.
- 4.5.3 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.
- 4.5.4 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.
- 4.5.5 DCLG National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council’s New Homes from Old Places SPD guidance.
- 4.5.6 Holiday Accommodation Supplementary Planning Document (SPD) - this document was adopted in November 2017 as a revision to the original version adopted in March 2011. It sets out the Council approach to proposals for or relating to holiday accommodation and identifies the safeguarded holiday accommodation areas.
- 4.5.7 Affordable Housing Supplementary Planning Document (SPD) – this document was adopted in July 2023 and sets out the affordable housing requirements and calculations for off-site affordable housing provision.
- 4.5.8 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.

- 4.5.9 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.
- 4.5.10 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.
- 4.5.11 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.

5.0 CONSULTEE RESPONSES

5.1 Environment Agency (EA):

- 5.1.1 The EA has confirmed that the development site is surrounded by tidal Flood Zone 3 (high probability of flooding), which encroaches into the application boundary. However, the EA have offered no objections following the submission of an updated FRA, subject to strict accordance with the FRA and the mitigation measures set out therein.
- 5.1.2 The EA offers advice on the sequential and exception tests and flood warning and emergency response.
- 5.1.3 The EA points out that applicants are encouraged to include biodiversity net gain (BNG) within their proposals. Paragraphs 174 and 179 of the National Planning Policy Framework (NPPF) recognise that the planning system should provide net gains for biodiversity. By November 2023 (*changed to February 2024*), providing a minimum 10% biodiversity net gain in new development will be a legal requirement due to provisions within the Environment Act 2021. Advice is also given in relation to emissions from Non-Road Mobile Machinery during the demolition/construction process, such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs, etc in the interests of air quality and net zero objectives.

- 5.2 **Natural England (NE):** NE have confirmed that it has no objections following the submission of a Habitats Regulations Assessment (HRA), subject to adherence with the mitigation measures set out therein and on the assumption that the Council will adopt the HRA. The measures include the provision of advisory homeowner packs and informative signage in relation to recreational disturbance which explains the sensitivities of the nearby designated sites and promotes the use of nearby Sustainable Alternative Natural Greenspaces (SANGs) and includes a responsible user code. The development should also proceed in accordance with the following pollution prevention measures:

- The maintenance of all operational plant
 - Turning off all plant that is not in use
 - Regularly dampening of the operational areas during dry weather conditions to avoid dust. Dust management techniques to cover the plant and all operational areas throughout the period of development.
 - Measures to prevent pollutants from entering ground and surface water through the use of a bunded fuel storage and refuelling area at a discrete distance from any watercourses. Appropriate spill management equipment is to be kept on-site and capable of being effectively utilised by trained operatives to contain any accidental spillage within any part of the operational area.
 - A toolbox talk is to be completed by a suitably qualified ecologist to ensure contractors are aware of the Liverpool Bay Special Protection Area (SPA), the Ribble and Alt Estuaries Special Protection Area, the Ribble and Alt Estuaries Ramsar and the Ribble Estuary Site of Special Scientific Interest (SSSI) and their ecological importance.
 - A 'Site Tidy' protocol is to be enforced on-site. All litter is to be appropriately controlled, whilst on-site materials are to be adequately stored over-night.
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- 5.3 **Health and Safety Executive (HSE)** – Planning Gateway One: The HSE initially responded when the proposal involved a seven storey development. The scheme has since been reduced to six storeys and the Health and Safety Executive have confirmed that the development is no longer within the scope of Planning Gateway One and will not be providing a substantive response to the amended scheme.
- 5.4 **Lancashire Fire and Rescue:** standard advice regarding access and water supplies required under Building Regulations Approved Document B
- 5.5 **United Utilities: Re-consulted 15/03/2023 re revised FRA and drainage details** - The proposals are acceptable in principle, but there is insufficient information on the detail of the drainage design. UU have requested the imposition of their standard drainage conditions. The drainage strategy should include finished floor levels and ground levels and it may be necessary to raise levels or include mitigation measures to manage the risk of sewer surcharge.
- 5.6 **NHS Clinical Commissioning Group:** The CCG have requested £23,034 towards reconfiguration at South Shore Primary Care Centre for additional clinical capacity, in order to meet the clinical needs of the development. In the absence of securing this sum, the NHS CCG would object to the application.
- 5.7 **NHS Foundation Trust:** The Trust have requested £64,751.00 to cover a 3 year budgetary shortfall in meeting the needs of the population which arises from the development.
- 5.8 **Police Architectural Liaison Officer:** The PALO recommends the following measures:
- creating defensible space around the apartment block by introducing a low fence along the street frontages to divide public and private space and allow a clear sense of ownership;
 - The car park should include 'Park Mark' measures to ensure the safety of people and vehicles. The car park should include lighting and be covered by CCTV with clear signage;
 - There should be an access control gate which reduces the opportunity for hiding spots and restricts access to the car park. I recommend residents having a fob/coded system to access the car park;

- Larger apartment blocks can suffer from anti-social behaviour due to unrestricted access to all areas and floors of the building. Access should be restricted.
 - Communal areas should be lit and CCTV should cover vulnerable areas
 - Ground floor windows to be secure and laminated
 - Cycle store and post room should be secure
- 5.9 **Blackpool Airport:** No objections subject to the imposition of their standard crane heights condition. Officer note: The Airport have also requested the imposition of a condition which requires refuse storage areas to be constructed so that they do not attract birds which could result in bird strike. The refuse area is internal and secure so the condition is not necessary.
- 5.10 **NATS Safeguarding:** The proposal does not conflict with NATS safeguarding criteria and NATS therefore have no safeguarding objection to the proposal.
- 5.11 **Defence Estates Warton:** The MOD has no safeguarding objections to this proposal.
- 5.12 **Greater Manchester Ecology Unit:** No response. Any response will be reported in the Update Note.
- 5.13 **Electricity North West:** The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West. Standard advice is given in relation to avoiding danger from underground and overhead electric lines.
- 5.14 **Local Highway Authority:**
- 5.14.1 No objection to the proposal with respect to the scale or appearance, the loading bays or the Transport Statement. The parking provision is acceptable for the location and types of dwelling. I note that motorcycle parking is not included at present.
- 5.14.2 The location of the front pedestrian entrance means that post and parcels will be delivered there. This and the location of the vehicle access will require amendments to TRO's. I would initially suggest a small loading bay in front of the foyer and no waiting on the remainder of the frontages – otherwise there will be damage to the footway. Some parking spaces opposite will have to be removed.
- 5.14.3 Given the layout of the junction at the front of the foyer it is tempting to consider some form of improvement to deal with the above and to benefit pedestrians walking along the Promenade. There is the obvious complication that there are four of these very similar junctions and there is, then, an argument for maintaining their similarity.
- 5.14.4 There are redundant crossing areas to reinstate and the new access for which no detail is given. In view of this, likely damage and adjustments during construction and the need to amend TRO's I would expect to see a scheme of highway works conditioned covering TRO's, new and old crossings and repaving of the frontage footways. Lighting may also need to be included.

- 5.14.5 I note that the archway under the building is 4.5m wide. It should allow additionally for a clearance between the road/kerbs and the structure on each side to avoid the risk of damage or the structure should be otherwise be protected. The numbers of vehicle movements will not be great and so I would accept that there is no need to allow pedestrians a separate footway width – so the bin store doors should be amended. Signage inside the arch giving priority to entering vehicles (some of which will be 2.5m wide plus mirrors) would be appropriate. The archway area should be specifically covered in a lighting scheme.
- 5.14.6 I note that the waste/servicing arrangement is to be at the front in order for the rear to be secure. However, the bin collection point is close to the arch. I would expect to see a swept path (in, out and turning) demonstrating that a normal size refuse freighter can enter and leave in forward gear.
- 5.14.7 The crescents are generally used north to south by drivers and it is, therefore, essential that the exiting goods vehicle can make the left turn out as well as the right turn.
- 5.14.8 Provision of electrical charging points in the car park is achieved using the “dead space” in corners. As set out it may be difficult to achieve future additional charging points and this should be clarified at some point. It would appear that the footprint of the ground floor rooms is dictated by a 6m car park aisle – leaving no room for charging units in the future.
- 5.15 **Environmental Protection:** No response. Any response will be reported in the Update Note.
- 5.16 **Local Education Authority:** Education has no objection to this application, and any pupil number increases should be able to be accommodated within existing capacity and does therefore not require a contribution from the developer.
- 5.17 **Envenco Waste Management:** No response. Any response will be reported in the Update Note.
- 5.18 **Head of Housing:** No response. Any response will be reported in the Update Note.
- 5.19 **Head of Parks:** No response. Any response will be reported in the Update Note.
- 5.20 **Lead Local Flood Authority:** The proposed drainage scheme with storage and flow restrictions are acceptable. A management plan for the proposed drainage will be required.
- 5.21 **Emergency Planning Manager:** No response. Any response will be reported in the Update Note.
- 5.22 **Community Safety Officer:** No response. Any response will be reported in the Update Note.

6.0 **REPRESENTATIONS**

- 6.1 Press notice published: 20/09/2022
- 6.2 Site notice published: 17/09/2022
- 6.3 Neighbours notified: 09/09/2022

6.4 No representations have been made as a result of the public consultation.

7.0 ASSESSMENT

7.1 Principle of Development

Loss of Holiday Accommodation

7.1.1 There are around 70 hotel bedrooms and 9 holiday flats on the site and it is understood that the buildings have been on the market for around four years and, despite some interest, the buildings have failed to attract buyers. The Skye and Trafford hotels have not traded for more than 10 years and are in a poor state of repair. In relation to the trading properties (The Colwyn and the Sandpiper), the application states that the rise of chain hotel brands and the recent commissioning of the Hampton by Hilton and the Boulevard Hotels, online booking site fees, along with the costly maintenance of the buildings has resulted in a gradual decline over recent years and the businesses are no longer viable.

7.1.2 The site is protected holiday accommodation in the Pleasure Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Holiday Accommodation Supplementary Planning Document. Core Strategy Policy CS23 states that within the holiday accommodation areas, the loss of sites used as holiday accommodation will be resisted unless “the proposal would provide high quality holiday accommodation alongside a supporting new residential offer” and requires justification for the mix of holiday and residential accommodation proposed. Such developments would need to meet high standards of design and deliver clear regeneration benefits.

7.1.3 The application is for apartments for occupation on a permanent basis and does not propose any holiday accommodation. However, to the south of the site is the recently erected and extended Hampton by Hilton Hotel which now provides a total of 204 good quality hotel rooms, and a further 120 good quality rooms are provided in the recently constructed Boulevard Hotel, approximately 170m to the north. It could therefore be argued that in approving this scheme, the Pleasure Beach Holiday Accommodation Area when taken as a whole, would provide a mix of high quality holiday accommodation alongside a new permanent residential offer and would therefore provide the mix of accommodation envisaged by Policy CS23. The issues of high quality design and regeneration benefits are discussed elsewhere in the report.

Housing land supply

7.1.4 Policy CS2 of the Core Strategy, sets out Blackpool’s housing requirement to build 4,200 new homes between 2012 and 2027. It states that these homes will be located on:

- Sites within the existing urban area, including major regeneration sites;
- Sites within the South Blackpool Growth area; and
- Windfall sites (sites which become available unexpectedly and are not specifically identified as part of the Local Plan process. They normally comprise previously developed sites).

- 7.1.5 The application site is not allocated for housing although Policy CS2 states that new homes will be located on sites within existing urban areas and confirms that windfall sites form an important source of housing supply in Blackpool.
- 7.1.6 Since the NPPF update in December 2023, Local Planning Authorities are no longer required to identify a five-year housing land supply for decision making purposes, where the adopted plan is less than 5 years old and that plan identifies a 5 year supply of specific, deliverable sites at the time the examination concluded. The Local Plan Part 2 allocates land for housing and was examined in 2022 and at that time, the Council could demonstrate a 14.2 year housing land supply. Therefore, there is no tilted balance and no overriding need to approve housing development on this site to deliver the 4,200 houses required to meet the housebuilding commitments to 2027 set out in Policy CS2. However, the national housing shortage is very well documented and Section 5 of the NPPF supports the government's objective of significantly boosting the supply of homes. Paragraph 124 of the NPPF supports housing proposals within existing settlement boundaries, stating that substantial weight should be given to the value of using sustainable brownfield land for housing.
- 7.1.7 The Core Strategy supports sustainable regeneration, diversification and growth which meets the needs of Blackpool's people now and into the future, and supports new housing provision to deliver a choice of quality homes across the Borough for new and existing residents.
- 7.1.8 The scheme would make a quantitative contribution towards future local housing needs which weighs very strongly in favour of the proposal in the planning balance.

Effective use of land

- 7.1.9 The site is currently occupied by holiday accommodation and so constitutes brownfield land. Whilst there is no over-riding need for housing development on this site, or tilted balance to consider, the efficient re-use of this brownfield site to provide residential development would accord with paragraph 124c) of the NPPF. Paragraph 128 of the NPPF confirms that decisions should support development that makes efficient use of land, promoting regeneration and change and the importance of securing well-designed and beautiful, attractive and healthy places.
- 7.1.10 To deliver the Core Strategy vision, the overarching spatial focus for Blackpool is regeneration and supporting growth, including supporting housing growth in South Blackpool. Policy CS13 supports housing development that makes efficient use of land, with an optimum density appropriate to the characteristics of the site and its surrounding area.
- 7.1.11 At 18m tall, the development would be higher than surrounding development (adjoining property on Burlington Road West and New South Promenade is around 12.5m tall and the Hampton by Hilton is around 14.6m tall). However, CS13 supports higher density development on public transport corridors such as the Promenade and Policy DM17 requires higher density development of four storeys or more on the Promenade. The provision of 49 dwellings on a 0.24ha equates to 204 dwellings/ha, which is not uncommon in flat development.
- 7.1.12 Whilst the height of the development will be discussed in more detail in the Visual Impact section of this report, the proposal would be no higher than the part 4, 5 and 6 storey Coastal Point development to the south at 647-651 New South Promenade and 2-4 Harrow

Place, which was approved 03/07/2017 (16/0421 refers) and no higher than the Boulevard Hotel to the north (17/0871 refers).

- 7.1.13 As such, the principle of higher density development and the reuse of brownfield land for housing in this location weighs strongly in favour of the application.

Housing Mix

- 7.1.14 Policy CS12 supports development which provides high quality housing with an appropriate mix of types and tenures to meet the needs and aspirations of existing and future residents and assists with rebalancing the housing market. Policy CS13 requires an appropriate mix of quality homes which help rebalance Blackpool's housing supply by including a mix of house types and sizes, having regard to the specific character, location and viability of the site.
- 7.1.15 CS13 goes on to states that on all sites, new flat developments will not be permitted which would further intensify existing over-concentrations of such accommodation and conflict with wider efforts for the comprehensive improvement of the neighbourhood. Where flat developments are permitted, at least 70% of flat accommodation should be 2 bedrooms or more and the accommodation should meet the relevant standards in place.
- 7.1.16 The development site is within Lower Super Output Area (LSOA) 017C where 49.8% of the residential accommodation comprises flats (compared to 21.2% in Blackpool as a whole, 15.8% in the North West and 22.2% in England). The development proposed would add to the number of flats in the area and would not therefore, improve the mix of housing types locally. However, many of the flats in the area are within purpose built blocks of flats rather than an over-concentration of poor quality conversions as seen elsewhere in the borough. The site is not suitable for traditional two storey dwellings given its context and that Policy DM17 requires higher density development of four storeys or more on the Promenade. As such, the existing over-concentration of flat development locally does not weigh heavily against the proposals in the planning balance.
- 7.1.17 The proposal is for 49 apartments and 37 of those apartments would have 2 or more bedrooms (75.5%) so the proposal exceeds the required housing mix in terms of house types. The apartments would also meet the floorspace standards set out in the Nationally Described Space Standards, indicating that the apartments would be good quality and would assist in rebalancing the housing market.
- 7.1.18 Policy DM1 requires that 10% of dwellings should be designed to be accessible and adaptable in accordance with technical standard M4(2) or suitable for wheelchair users in accordance with M4(3) of the Building Regulations. Given the age of the application which was submitted prior to the examination of Policy DM1, the case officer has not requested that the applicant demonstrate compliance with this element of DM1.
- 7.1.19 On balance, subject to high standards of design and regeneration benefits which are discussed elsewhere in the report, given the circumstances of the site and the wider holiday accommodation area, the loss of holiday accommodation and the provision of permanent accommodation is in accordance with the Development Plan when taken as a whole, including the overarching spatial focus for Blackpool, as set out within Policy CS1, which is for growth and regeneration.
- 7.1.20 The Government has recently announced proposals to introduce a new Use Class C5 which will be for short term lets, and a new permitted development right for C3 uses to be used as

C5, unless the Council introduce an Article 4 direction which removes this right. The amenity conflicts which arise between permanent residential accommodation and holiday accommodation, particularly in a block of mixed permanent and holiday apartments, is well-acknowledged in Blackpool. Furthermore, the contribution that the scheme would bring to the housing supply and improvement to the housing stock has weighed significantly in favour of the scheme in the planning balance. Therefore it is considered necessary to impose a condition requiring that the apartments are used as C3 accommodation for permanent occupation only.

7.2 Planning Obligations

- 7.2.1 Paragraph 57 of the NPPF states that planning obligations must only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 7.2.2 Paragraph 58 states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.
- 7.2.3 Policy CS11 states that development will only be permitted where the existing infrastructure, services and amenities are already sufficient, or where the developer enters into a legal undertaking or agreement to meet additional needs arising from the development.
- 7.2.4 Policy CS15 of the Core Strategy makes provision for financial contributions to be secured towards local health care and education provision where necessary. The Council as Local Education Authority has confirmed that there is sufficient existing capacity in the area to meet the needs that would be generated by the development and so no contribution is sought towards local education provision.
- 7.2.5 The NHS Clinical Commissioning Group (CCG) have requested £23,034 towards the reconfiguration at South Shore Primary Care Centre for additional clinical capacity, in order to meet the clinical needs of the development. If this sum cannot be secured, the CCG would object to the proposal. Subject to the consideration of viability to be discussed elsewhere in this report, this would be secured through a S106 legal agreement.
- 7.2.6 The NHS Foundation Trust governs Blackpool Victoria Hospital which is a major facility serving Blackpool, Fylde, Wyre and beyond. The Trust have requested £64,751.00 (based on 51 apartments rather than the 49 proposed) to cover a funding gap of around 3 years between the grant of planning permission and the next funding review. This request is not considered to be acceptable because the figure requested is based on an assumption that all future occupants would represent a population increase. Whilst the development may result in population increase in this local area which could affect local surgeries, there is no evidence to suggest that it would result in population increase across Blackpool as a whole that could affect capacity at Blackpool Victoria Hospital. This is because the Office of National Statistics has confirmed that the population in Blackpool has decreased by 0.7% between the 2011 and 2021 census and predict that the population of Blackpool will fall by 2.5% between 2016 and 2041. It is therefore very possible that future occupants would be existing Blackpool residents or residents already within the Trusts' wider catchment, who

have chosen to relocate to this area. In any case, people are entitled to NHS services wherever they may live in the country and the way national funding is distributed to NHS Trusts is not a localised impact directly relating to the development proposed. On this basis, as the Trust has not adequately demonstrated that the contribution is necessary in order to make the development acceptable, it will not be pursued.

- 7.2.7 Policy CS6 requires new development to incorporate green infrastructure of an appropriate size, type and standard. Where on-site provision is not possible, financial contributions will be sought to make appropriate provision for open space and green infrastructure. The Greening Blackpool SPD sets out the requirements in terms of public open space and requires two trees for each dwelling. No open space or meaningful tree planting could be delivered on-site. As such, a scheme of 49 apartments comprising 12x1 bedroom units, 35x2 bedroom units and 2x3 bed unit would require £80,786.40 in open space contributions and 98 trees or £98,000 towards off-site tree planting.
- 7.2.8 Policy CS14 relates to affordable housing and for developments of 15 or more dwellings, requires 30% of the total number of dwellings to be affordable, unless the developer can robustly demonstrate that the development would be unviable. In those circumstances, an alternative level of provision may be negotiated.
- 7.2.9 The NPPF states that affordable housing should be provided on site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified and where that would contribute towards the creation of mixed and balanced communities. In this case, the Housing Manager has confirmed that contributions for off-site provision would be more appropriate.
- 7.2.10 As part of the affordable housing provision, the NPPF states that in major housing applications, at least 10% of the total number of homes should be available for affordable home ownership (as part of the overall contribution from the site). However, in Blackpool, the Housing Manager has confirmed that the current needs are for affordable homes for rent. The NPPF also states that to support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount based on floorspace. As such, given that two hotels have not traded for a number of years and based on the existing floorspace calculations provided by the agent, the vacant building credit equates to 1,274sqm or a 33.2% reduction in affordable housing contributions.
- 7.2.11 In order to achieve the 30% affordable housing requirement, 14.7 of the 49 apartments would need to be affordable units. The Affordable Housing SPD explains how an equivalent off-site affordable housing contributions should be calculated and based on the mean market values provided as part of the applicants' viability information, the offsite contribution would be £1,569,892.16, less 33.2% vacant building credit comes to £1,048,687.96.
- 7.2.12 The planning obligations due therefore amount to £1,250,508.36.

Financial Viability

- 7.2.13 The applicant has submitted a financial viability appraisal stating that the payment of any planning obligations would make the scheme undeliverable, but has since made a full and final offer of £156,000 towards off-site affordable housing provision and £40,726.48 towards open space and health infrastructure and tree planting (£196,726.48 in total). The viability

appraisal to the Local Plan Part 2 acknowledges that provision of affordable housing at 30% in full compliance with Policy CS14 is unlikely to be financially viable given various economic challenges that have arisen since Part 1 was adopted in 2016. Paragraph 58 of the NPPF states that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case. The shortfall in obligations and the lack of affordable housing contributions weigh notably against the proposal in the planning balance.

- 7.2.14 This viability appraisal has been independently assessed on behalf of the Council by Continuum and extensive discussions have taken place between the viability consultants on both sides. There are disagreements over the construction costs, sales and marketing fees and more importantly, the market values of the apartments.
- 7.2.15 The Council's viability consultants do not dispute that the scheme would not be viable if the full affordable housing provision at 30% was required alongside the other planning obligations detailed above. However, they have concluded that this site can viably contribute £863,697 towards planning obligations and have suggested an overage clause be included in a S106 legal agreement, to ensure that further contributions are made should there be any uplift in sales values. Financial viability appraisals are necessarily built on predicted and estimated costs and values. Under an overage arrangement, the applicant would have to provide information on actual costs and values once the development has been constructed and the units sold. If it transpires that the development costs less to build than is anticipated, and/or that the apartments sell for more than expected, this increased income would then have to be paid to the Council in respect of the outstanding planning obligations. Naturally if the development does not generate any more money than expected, no additional payments would have to be made.
- 7.2.16 The applicants will not agree to an overage clause in a S106 agreement. This is because the applicant does not intend to develop the site themselves, but sell the land on and prospective purchasers will need certainty upon purchase and the agent has stated that an overage would prolong the sale of the sites. Whilst overage clauses work in some situations, it is understood that they can further compromise viability. This is because they introduce a degree of uncertainty and the potential that Councils and applicants may not agree or accept final development costs. Many lenders consider this to be unacceptable.
- 7.2.17 Given that the negotiations have stalled and an impasse reached, the application must be determined on the basis of the offer of a contribution of £156,000 towards off-site affordable housing provision and £40,726.48 towards open space and health infrastructure and tree planting (£196,726.48 in total).

Allocation of Obligations

- 7.2.18 As set out above, the total planning obligation requirements for this scheme amount to some £1,250,508.36. Clearly the offered amount of £196,726.48 falls very substantially short of this (less than 16% of the required amount). Should planning permission be forthcoming, consideration must be given to the way in which this money would be used.
- 7.2.19 The applicant has stipulated that £156,000 was for off-site affordable housing. The other required obligations are:

- Local Health provision £23,034
- Off site open space £80,786.40

- Off site tree planting £98,000

7.2.20 The CCG have confirmed that they would object to the scheme without the requested contribution. The application site already benefits from being next to the Solaris, which includes public open space including play space and there is an area of privately owned public open space fronting the crescent on the Promenade, just to the north of the site which would benefit the occupants of the apartments. As such, it is considered that the health contribution should be given priority and the remaining £17,692.48 should contribute to open space improvements and tree planting in accordance with the Greening Blackpool SPD and the priorities in the Green and Blue Infrastructure Action Plan and the Tree Strategy at the time the money becomes available.

7.3 Visual Impact

7.3.1 Paragraph 128 of the NPPF confirms that decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change and the importance of securing well-designed and beautiful, attractive and healthy places.

7.3.2 The NPPF at paragraph 131 states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, with good design being a key aspect of sustainable development. Paragraph 135 explains that developments should function well and add to the overall quality of an area, be visually attractive and sympathetic to local character and history while not preventing or discouraging appropriate innovation or change (such as increased densities).

7.3.3 Paragraph 139 states that significant weight should be given to outstanding or innovative design which promotes high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of the their surroundings.

7.3.4 Policies CS7 and DM17 relate to design and require new development to be well designed and to enhance the character and appearance of the local area, being appropriate in terms of scale, mass, height and the relationship with adjoining buildings. CS7 also supports contemporary and innovative expressions of design, where appropriate. Policy DM17 expects the scale and massing of new buildings to be appropriate for their use and location and be related to the scale, massing and height of neighbouring buildings and should have regard to the pattern, size and arrangement of streets, buildings and building lines and confirms that particular attention should be paid to the design of new buildings that would be highly visible due to the prominence of the location or the scale of the development.

7.3.5 The site occupies a prominent position on the Promenade. The Promenade is considered to be Blackpool's shop window and it is imperative to ensure that all new development is of the highest standard and appropriate to its context. As built, the original 1920's crescent comprised two attractive, three storey long terraces which followed the curve of the crescent and wrapped around on to the side streets, bisected by Wimbourne Crescent and fronted by enclosed green space. A similar crescent was built to the south of the Solaris, creating a very strong symmetrical setting for the locally listed building. The application site forms part of the northern terrace of the crescent. The original terraces were uniformly designed, but have been unsympathetically extended over the years, into the roof spaces and through the provision of front sun lounges. Furthermore, the Hampton by Hilton

redevelopment to the south has certainly changed the character of the crescent and broken any strong symmetrical design bonds and any consistent materials palette.

- 7.3.6 A re-development scheme on this site has been subject to pre-application advice and the applicant has also undertaken their own publicity in order to gauge public opinion on the proposals. The details of the public consultation are set out in a Statement of Community Involvement section of the Planning Statement, which supports the application. The applicants' public consultation related to a previous iteration of the scheme for a seven storey building with 51 apartments. Given the prominence of the location, significant consideration has been given to the design and appearance of the building. In particular, officers were keen to ensure that the visual bulk of the building was minimised so that it would not dwarf its neighbours or look out of place in its setting. As a result of feedback from officers, the scale of the development has been reduced to part four, part five and part six storeys and the number of apartments have been reduced to 49. In accordance with para 137 of the NPPF, applications that can demonstrate early, proactive and effective engagement with the community should be looked upon more favourably than those that cannot.
- 7.3.7 The north and west elevations would be street facing. The bulk of the northern elevation of the building would be between four and five storeys tall (12.4-14.5m tall). The sixth floor would be 18m tall with a setback from the main front elevation of between 2.8 and 4.4m. The bulk of the western elevation would be five storeys tall (14.5m), with the sixth floor extending to 18m tall with a setback from the main front elevation of between 2.4 and 4.4m. A lift shaft set well back from either street elevation would bring the maximum height of the development to around 19m. This stepping up of the building to the south west corner would assist in terms of the transition between the building and the remainder of the crescent. The building would be of a very similar scale to the part 4, 5 and 6 storey Coastal Point development to the south and the Boulevard Hotel to the north.
- 7.3.8 The street facing elevations would be built from a light coloured brick with white stone/chalk textured columns to create large full height apertures, arranged in ordered bays, with both strong vertical and horizontal emphasis. Each aperture would have either full height windows with decorative curtain wall or brick panels, inset balconies or full height window/doors onto terraces. The ground floor apartments would be behind ramped landscaping sections to provide either defensible space or landscaping for privacy. A flat roof would over-hang the set-back sixth floor, supported by white columns to provide further depth and interest at high level. The sixth floor elevations would have a darker, patterned curtain walling rather than brick elevations, to further help reduce the bulk of the top floor. The north and west elevations would flow into one and would curve around the north-west corner to provide a focal point.
- 7.3.9 The pedestrian entrance from New South Promenade would be surrounded by thicker bands of brick and would have a void above to make the entrance legible. The building would have a consistent architectural style and use the same materials across all elevations. The variety of heights and sections and range of materials is considered to effectively break up the massing and visual scale of the building. A condition precluding the installation of rainwater goods or soil pipes on the street facing elevations is considered necessary in order to safeguard the design quality of the building.
- 7.3.10 The non-street facing elevations are understandably less detailed but well-designed nonetheless.

- 7.3.11 Notwithstanding the information submitted, conditions could be attached to any permission granted to agree the finer details of the materials and detailed sections of the elevations to ensure that recessed and projecting features are set-back/push forward to a meaningful degree to secure appropriate articulation and visual interest. Appropriate boundary treatments and any external lighting can also be agreed by condition.
- 7.3.12 A similar outline proposal for 40 apartments is proposed at the south end of the crescent (22/0168 refers) and a corresponding report is to be considered on the same Planning Committee agenda. If approved, it would be unreasonable and unenforceable to impose a condition requiring that both schemes are implemented and so each proposal must be determined on its own merits. However, if both schemes were to come forward, they would effectively bookend the crescent and set the tone for the redevelopment of the remainder of the crescent to be of similar scale and design as the Hampton by Hilton, in order to maintain some architectural coherence and symmetry to the crescent.
- 7.3.13 Landscaping is a reserved matter and so cannot be considered at this stage. However, there are opportunities for soft landscaping on the Promenade and Burlington Road West which would assist in softening the development and bring about biodiversity benefits.
- 7.3.14 In light of the above, the development is considered to be attractive, well designed and appropriate visually in this prominent location.

7.4 Amenity Impact

- 7.4.1 Para 135 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy CS7 would not permit development that causes unacceptable effects by reason of visual intrusion, overlooking, shading, noise and light pollution or any other adverse local impact on local character or amenity. Policy DM1 requires housing designs and layouts to safeguard privacy, sunlight, daylight, outlook and amenity for the neighbours and future occupiers and to provide adequate private and useable amenity space for occupants. Policy DM36 is permissive of development where it is compatible with adjacent uses and would not lead to unacceptable adverse effects on health, amenity, safety and the operation of surrounding uses.
- 7.4.2 Policy DM1 requires that 20% of new build dwellings must meet the Nationally Described Space Standards (NDSS). The apartments would generally meet or exceed the floor space standards in the NDSS which is an indicator of good quality accommodation. Whilst there would be no private amenity spaces, 92% of the apartments would have access to a balcony or terrace of varying sizes and there is open space in the crescent to the south/west of the development and to the south at Solaris with the Promenade and beach beyond to the west. The majority of the apartments would have direct views over the sea (75%) and so would have highly desirable outlook. The twelve apartments without a sea view which would face south or east would be served by full height windows and would have a reasonable outlook towards Clifton Drive. Plans have been submitted to demonstrate that the refuse storage area is located so that there would not be excessive bin drag distances.
- 7.4.3 In terms of neighbour amenity, the building would be no higher than the Coastal Point residential development to the south of the Solaris, less than 300m away, so this scale has been considered to be acceptable in a very similar site circumstances. The building would step up to the north-west corner, thereby reducing impacts on neighbour amenity. In any case, the Design and Access Statement includes sun path analysis which demonstrates that

the development would reduce direct light levels to the rear of properties fronting Clifton Drive only in the winter months as the sun is setting. This is not considered to be a material impact which would warrant refusal. Clearly there would be an impact on outlook as the building would be visible from the rear of properties fronting Clifton Drive and would be taller than the current terrace. However, the outlook would be over the rear of well-designed building between 35 and 50m away so the outlook would not have an unacceptable impact. There would be no privacy or overlooking issues for those properties fronting Clifton Drive given a separation distance in excess of 50m between the properties on Clifton Drive and the closest east facing windows.

- 7.4.4 The adjoining properties to the south and east are holiday accommodation. There would be no loss of light, overlooking or loss of privacy for those properties. As such, the proposal would not have any unacceptable impacts on the amenities of residents or visitors.

7.5 Access, highway safety and parking

- 7.5.1 Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 113 states that all developments that will generate significant amounts of movement should be required to provide a Travel Plan, and the application should be supported by a Transport Assessment so that the likely impacts of the proposal can be assessed. The application is supported by a Transport Statement which states that the anticipated traffic generation is expected to have a negligible impact on traffic capacity of the adjacent highway network and that the proposed apartment scheme would result in 36% less traffic trips compared to existing holiday uses which is considered to provide a highway benefit. A Travel Plan can be agreed by condition, to ensure that sustainable travel options for future residents are enabled and encouraged.
- 7.5.2 Pedestrian and vehicle access would be separate and both would be taken from New South Promenade crescent. The vehicle access has been widened in accordance with comments from the Local Highway Authority. The existing five vehicle access points would be reduced to just one and closing the accesses onto Burlington Road West would improve safety at the junction.
- 7.5.3 The adopted parking standards are guidance and Appendix G1 to the Local Plan Part 2 confirms that provision will be discussed and agreed on a case by case basis. The standards suggest that for a scheme of 12 x 1 bed apartments, 35 x 2 bed apartments and 2 x 3 bed apartment, 86 spaces would be appropriate. However the site is accessible, being on both bus and tram routes and is less than 250m to the nearest train station and is close to employment opportunities, shopping, leisure and education facilities. Members are also advised that a parking ratio of one space per flat was approved for the Coastal Point scheme and that the applications for that site that are also on this agenda with positive recommendations would retain that ratio.
- 7.5.4 The car parking provision (49 spaces) would be located to the rear of the site, accessed via an undercroft off the crescent. There would be a 2.4m tall boundary wall along the rear service street and a gate for emergency vehicle access only. The Transport Statement confirms that this parking provision and the parking accumulation analysis demonstrates that the proposed scheme should not result in any off-site parking demands and therefore, the scheme does not have the potential to create any highway safety issues through displaced car parking. The Local Highway Authority has confirmed that one space per

apartment would be sufficient. 49 spaces are proposed to service the 49 apartments and this is considered to be acceptable.

- 7.5.5 There would be five accessible spaces and five EV charging spaces and a secure room for cycle storage. No motorbike spaces would be provided which is unfortunate, but none could be provided without sacrificing a car parking space and in this instance, a car parking space for each apartment is considered to be more desirable. The Local Highway Authority notes that there would be difficulty in providing additional charging points in the future, but charging points could be placed between the accessible spaces if demand increases. How the spaces are allocated and managed would be a matter for a management company to address.
- 7.5.6 In terms of on-street parking provision, it is acknowledged that parking is at a premium in the area, particularly during the season. Providing the new access and loading bay on the crescent would result in the loss of around two on-street parking spaces. The reinstatement of the footpath where an existing access is located on Burlington Road West could potentially create compensatory on-street parking and the development itself should not generate additional on-street parking pressures.
- 7.5.7 The Local Highway Authority have confirmed that off-site highway works will be required and amendments to TRO's to provide a loading bay on the crescent for servicing and waste collection, no waiting on the remainder of the frontages, the reinstatement of redundant crossings, repaving of the frontage footways and provision of the new vehicle access and lighting. These works can be secured by condition. A condition requiring details of lighting in the undercroft and signage on the undercroft which gives priority to entering vehicles is necessary in the interests of safety and to avoid vehicle conflicts.
- 7.5.8 Subject to appropriately worded conditions, the proposal could be delivered without unacceptable impacts on highway safety or severe cumulative road network impacts. .

7.6 Flood Risk and Drainage

- 7.6.1 Paragraph 173 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable), it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 7.6.2 Policy CS9 largely reiterates paragraph 173.

7.6.3 The footprint of the development is in Flood Zone 1 but parts of the site dip into Flood Zones 2 and 3 and the site is surrounded on three sides by Flood Zones 2 and 3. There is habitable accommodation on the ground floor and the submitted FRA states that the finished floor level (FFL) will be 300mm above the worst case modelled flood scenario (the 0.5% AEP undefended + Climate Change (2119) scenario). The FRA also confirms that there would be access and egress towards both the north and the south of the site providing multiple routes to escape through levels outside of the flood risk and it is unlikely that evacuation would be required as the site itself would be a safe refuge zone given its position outside of the mapped flood zones. The FRA includes future proofing mitigation measures for the ground floor including using solid floors with concrete or tiled surfaces etc. The EA have offered no objections following the submission of an updated FRA, subject to strict accordance with the FRA and this can be required by condition.

Sequential test

7.6.4 Given that parts of the site are in Flood Zones 2 and 3, a sequential test needs to be applied in accordance with para 167 of the NPPF and Core Strategy Policy CS9. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

7.6.5 The 2019 update to the Strategic Housing Land Availability Assessment (SHLAA) identifies sites which are suitable for housing development. The SHLAA identifies the following sites as suitable for between 40 and 50 dwellings:

- Ryscar Way (SN/007) – Permission 20/0794 for 51 dwellings is currently being implemented so the site is not available
- Mexford House (SN/043) – Current land owner is seeking permission to convert the building into 87 flats (ref: 22/0512) and so the land isn't currently available for re-development
- Coopers Way (SC/005) – Site is built out
- Talbot Gateway (SC/016) – Around 50 apartments are expected to come forward under the strategic allocation, but a site has yet to be identified
- Devonshire Road Hospital Site (SC/063) – Permission has recently been granted to re-locate the courts on to this site (ref: 23/0777) so this site is not available
- 200 Watson Road (SS/017) – Site has been built out
- Co-op Sports and Social Club (SE/033) – Site has been built out

7.6.6 The Council adopted Part 2 of the Local Plan in February 2023 and this allocates 25 sites for housing which the Council's Strategic Flood Risk Assessment (SFRA) identified as being in Flood Zone 1 (at the time of writing). This application is for 49 dwellings on the Promenade. The only allocated housing site on the Promenade that could accommodate 49 dwellings is 585-593 New South Promenade on the same crescent as the application site. However, part of that site is now also within Flood Zone 3 so it would not be a sequentially preferable site. Off the Promenade, the only sites that are not already being built out, area available and could accommodate around 49 dwellings are:

- South King Street (HSA1.8) – Around 47 dwellings expected to be delivered. The Council has recently cleared the site to be used as a car park (22/0581 refers) so this site is not currently available

- Land at Jepson Way (HSA1.13) – Around 57 dwellings expected to be delivered. The site is not currently available as a new link road and other infrastructure is needed before housing can be delivered on this site

7.6.7 As such, there are no sites identified which are at lower risk of flooding and are reasonably available and so the sequential test is satisfied.

Exceptions test

7.6.8 Residential uses are classified as ‘more vulnerable’ in terms of flood risk and therefore, if following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test must be applied.

7.6.9 The Exception Test requires applicants to demonstrate that their development would generate sufficient public benefit to justify the grant of planning permission in the face of flood risk. Even if sufficient public benefit can be identified, the Exceptions Test still requires a scheme to evidence that the development can be made safe.

7.6.10 In order to pass the exception test, it should be demonstrated that:
 (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Development must pass both elements of the test to be allocated or to be acceptable in terms of flood risk.

7.6.11 The Environment Agency are satisfied that the development is safe and test (b) is therefore satisfied.

7.6.12 In terms of test (a), the proposal would involve the re-development of a brownfield site for good quality housing, providing a quantitative and qualitative improvement to the local housing stock. The proposal would bring about a visual enhancement of the Promenade in a sustainable location, close to services, facilities and public transport routes. As such, the proposal provides wider sustainability benefits to the community that outweigh flood risk and part (a) of the Exceptions Test is also satisfied.

Drainage

7.6.13 Policy CS9 precludes the discharge of surface water into the existing combined sewer network. If unavoidable, development must reduce the volume of surface water run-off discharging from the existing site in to the combined sewer system by as much as is reasonably practicable. Policy DM31 requires surface water to be discharged via the most sustainable drainage option available and on previously developed sites, applicants should target a reduction from pre-existing discharges of surface water to a target of greenfield rates and volumes so far as reasonably practicable, with a starting point of a maximum of a 30% reduction in run off rates. All new development should include sustainable drainage systems and should reduce areas of existing impermeable surfaces.

7.6.14 The submitted Drainage Strategy states that greenfield runoff is not achievable on this site as it is completely impermeable and the substructure is unlikely to be suitable for infiltration methods and it is not possible to provide sufficient surface water storage on site. The site

will need to connect to the combined sewer, however, the Strategy confirms that betterment over the current brownfield runoff rates is achievable through the use of storage crates and flow controls.

- 7.6.15 United Utilities (UU) have confirmed that the drainage proposals are acceptable in principle, but the plans are currently incomplete and further detailed information is required. As such, UU have required the imposition of their standard drainage conditions and confirmation of the FFL.
- 7.6.16 Subject to the imposition of appropriate conditions, no unacceptable flood risk or drainage issues are identified.

7.7 Biodiversity impact

- 7.7.1 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Mandatory biodiversity net gain does not apply to major applications which were submitted before the 12th February 2024. However, NPPF paragraph 180 states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value and soils and recognising the wider benefits from natural capital and ecosystem services of trees and minimising impacts on and providing net gains for biodiversity. Policy CS6 requires all development to incorporate new green infrastructure and seeks to reinforce the protection of international, national and local sites of biological and geological conservation importance. Policy DM35 requires biodiversity net gains where opportunities exist.
- 7.7.2 The application is supported by Habitats Regulations Assessment (HRA). The objective of the HRA is to identify any aspects of the Project that would cause 'likely significant effects' on the interest features of nearby European sites. Natural England notes that the HRA has not been produced by Blackpool Council, but by the applicant and gives advice on the basis that the Council intends to adopt the HRA to fulfil its duty as competent authority.
- 7.7.3 Natural England has not objected subject to appropriate mitigation measures set out in the HRA, to protect Liverpool Bay Special Protection Area (SPA), Ribble and Alt Estuaries SPA, the Ribble and Alt Estuaries Ramsar site and the Ribble Estuary Site of Special Scientific Interest (SSSI) from pollution and recreational disturbance. Accordingly, appropriately worded conditions are listed at the end of this report.
- 7.7.4 In terms of on-site biodiversity, a Bat Survey supports the application and found no evidence of bats using the buildings to roost, with no bat activity recorded during the activity survey. The Survey sets out certain precautions, reasonable avoidance measures and mitigation measures in relation to bats and nesting birds and a condition requiring the development to proceed in accordance with those measures would safeguard against harm to bats and birds.
- 7.7.5 The site is currently sealed with no ecological features or natural habitat but there are opportunities to improve biodiversity with the agreement of good quality landscaping, which would be agreed at reserved matters stage. A condition requiring the agreement of other ecological enhancements around the site is considered necessary to ensure the development contributes towards habitats and foraging opportunities for birds and small mammals in accordance with policies CS6, DM21 and DM35. Given the high quality and consistent design of the building, 'stuck on' off the shelf standard surface mounted bird and bat boxes would be undesirable, but integral bird and bat boxes could be provided without compromising the design aesthetics of the building.

7.7.6 As such, subject to appropriately worded conditions, the site could be re-developed without harming designated sites and could enhance biodiversity locally through the provision of landscaping and habitats.

7.8 Environmental impact

7.8.1 Policy CS10 does not require any particular BREEAM rating for residential development. However, Policy DM1 expects all new housing development to consider the incorporation of renewable energy technology including solar and ground/air source heat pumps and grey water harvesting. A condition requiring the submission of a Sustainability Strategy would ensure that energy saving measures are incorporated into the development where opportunities exist.

7.8.2 Policy DM36 seeks to secure a safe environment for occupants that does not displace contamination and to safeguard controlled water from pollution. Environmental Protection colleagues have raised no concerns regarding contaminated land.

7.8.3 The site is not in an Air Quality Management Area (AQMA) and no unacceptable impacts on air quality are anticipated during the operational phase.

7.8.4 The submission and agreement of a Demolition and Construction Management Plan can be required by condition to safeguard residential and visual amenity, highway safety and environmental safeguarding during the construction phase.

7.9 Other Issues

7.9.1 Policy DM18 of Part 2 requires new developments to demonstrate provision of high-speed broadband. However, it is understood that this expectation now forms part of the Building Regulations, and so it is not considered appropriate to duplicate the requirements of other legislation through this application.

7.9.2 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).

7.9.3 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.

7.9.4 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.

7.10 Sustainability and planning balance appraisal

- 7.10.1 The National Planning Policy Framework is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Sustainability comprises economic, environmental and social components.
- 7.10.2 Economically, the proposal would regenerate a prominent site on the Promenade for good quality permanent residential accommodation which would help to support local shops and services and some employment would be generated during construction. However, this would be true for any re-development of the site and so does not weigh heavily in the planning balance.
- 7.10.3 Environmentally, the scale of development in this location is considered to be acceptable and the high quality design of the development would visually enhance the area and the regeneration benefits carry substantial weight in the planning balance. Satisfactory biodiversity gains could be delivered by condition and through details in a Reserved Matters application. No unacceptable impacts on drainage or environmental quality are anticipated. The site is in a very accessible location with good access to a range of sustainable transport options. However, the proposal could not provide sufficient trees on site or off-site to meet the requirements of the Council's Greening Blackpool Supplementary Planning Document and this weighs against the proposal.
- 7.10.4 Socially, the proposed building would not have any unacceptable impacts on residential amenity in terms of light and privacy. No unacceptable impacts on highway safety or the surrounding road network are anticipated and no unacceptable issues for flood risk are identified. The redevelopment of the site for modern, good quality accommodation would have wider social benefits through housing led regeneration and an increase in good quality housing stock and choice in the area and this carries substantial weight in the planning balance. However, the development would not provide the 30% affordable housing or meet other planning obligations in full and this weighs heavily against the scheme in the planning balance.
- 7.10.5 The applicant has submitted financial viability information seeking to demonstrate that it is not possible for the development to meet the relevant planning obligations. Since first submission of this information, and over a very significant timescale of discussions and negotiations, the applicant managed to move from a position of offering no financial contributions, to offering £196,726.48 towards off-site affordable housing, open space, health infrastructure and tree planting. This is less than 16% of the calculated obligations.
- 7.10.6 Throughout the viability discussions, officers have been mindful of the need to find a pragmatic solution to enable a planning permission to be granted if possible. Continuum maintain that the scheme can contribute more towards meeting the required planning obligations if their higher residual land values were applied and recommend that an overage clause is included in a legal agreement, to catch any uplift in sales values. Whilst Continuum have understandably focused upon the financial credentials of this site and application in isolation, officers must consider the contribution this scheme could make towards achieving the Council's wider planning strategy in terms of delivering good quality homes which help re-balance the housing market and delivering regeneration.
- 7.10.7 In light of the above and on balance, the scheme is considered to offer sufficient benefits to out-weigh the lack of affordable housing and other planning obligations. In considering the

planning balance, officers conclude that the scheme represents sustainable development and that planning permission should be granted.

8.0 FINANCIAL CONSIDERATIONS

8.1 The development would generate some Council Tax revenue but this is not a planning consideration and carries no weight in the planning balance.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

9.1 The Council Plan sets out two priorities. One is 'the economy: maximising growth and opportunity across Blackpool', and the other is 'communities: creating stronger communities and increasing resilience.

9.2 This application accords sufficiently with the communities priority as detailed above.

10.0 CONCLUSION

10.1 In light of the above, the proposal is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this view.

11.0 RECOMMENDATION

11.1 In light of the above, Members are respectfully recommended to adopt the Habitats Regulations Assessment and resolve to grant outline planning permission and delegate the matter to the Head of Development Management to issue an approval subject to the completion of a S106 legal agreement and the conditions listed at the end of this report.

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

- Landscaping

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

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

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

Location plan ref: 1984/1.1 recorded as received by the Council 25/08/2022

Proposed site layout plan ref: 1984/3.1.02A dated 08/08/2022

North Ground Floor plan ref: 1984/3.1.10A dated 08/08/2022

North First Floor plan ref: 1984/3.1.11A dated 08/08/2022

North Second Floor plan ref: 1984/3.1.12A dated 08/08/2022
North Third Floor plan ref: 1984/3.1.13A dated 08/08/2022
North Fourth Floor plan ref: 1984/3.1.14A dated 08/08/2022
North Fifth Floor plan ref: 1984/3.1.15A dated 08/08/2022
North Roof plan ref: 1984/3.1.17A dated 08/08/2022
Elevations North Bld - North plan ref: 1984/3.1.20A dated 08/08/2022
Elevations North Bld - West plan ref: 1984/3.1.21A dated 08/08/2022
Elevations North Bld - East plan ref: 1984/3.1.22A dated 08/08/2022
Elevations North Bld - South plan ref: 1984/3.1.23A dated 08/08/2022
Street Scene – New South Promenade plan ref: 1984/3.1.24B dated 08/08/2022
Street Scene – Burlington Road West plan ref: 1984/3.1.25B dated 08/08/2022
North Site – Section AA plan ref: 1984/3.1.30A dated 08/08/2022
Refuse Collection North plan ref: 1984/3.1.40 dated 31/03/2023

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
- (a) Prior to the commencement of any development, a sustainable surface water drainage strategy and foul 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.
- (b) Prior to the commencement of any development, the design for a surface water drainage scheme, based on the approved strategy and in compliance with the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following:
- (i) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- (ii) Surveys and appropriate evidence to establish the position, capacity, ownership and interconnection of all bodies of water, watercourses, drains and sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;
- (iii) Plans outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum;
- (iv) A determination of the lifetime of the development, design storm period and intensity (1 in 30 and 1 in 100 year + allowance for climate change - see EA advice 'Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development and as appropriate during construction), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent

flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in metres AOD;

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

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

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

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

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

(x) Details of water quality controls.

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

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

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

Reason: To promote sustainable development, secure proper drainage of sewage and surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document and the Blackburn, Blackpool and Lancashire Flood Risk Management Strategy.

4 Prior to commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Site Management Company;

b) Evidence of arrangements to transfer responsibility to other parties in the event of the demise of any management company, for example by means of covenants;

c) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:

- (i) on-going inspections relating to performance and asset condition assessments
- (ii) operational costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

d) Means of access for maintenance and easements where applicable.

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 5 The development hereby approved shall proceed in full accordance with the mitigation measures identified in the revised Flood Risk Assessment ref. TC-L10251-FRA DS-21, Issue 04, Version 04; dated 14 July 2022, prepared by Thomas Consulting.

Reason: In order to ensure that the development is safe from flooding and does not increase flood risk elsewhere in accordance with paragraph 167 of the NPPF, Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document and the Blackburn, Blackpool and Lancashire Flood Risk Management Strategy.

- 6 (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 DM36 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.

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

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

- 8 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.

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

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

- 10 No rain water goods, soil pipes or vents shall be installed on the New South Promenade or Burlington Road West elevations unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance, design and architectural quality of the building in a very prominent Promenade position, in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17 and DM19 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 11 Prior to the commencement of development 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:

- provision of new highway crossings
- removal of redundant highway crossings
- repaving of the frontage footways
- amending Traffic Regulation Orders (TROs) in relation to new accesses
- provision of street-lighting
- provision of a loading bay

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 document 2012-2023. 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.

- 12 Prior to the development first being occupied, signage inside the access arch which gives priority to entering vehicles shall be displayed and shall thereafter be retained.

Reason: In order to ensure that safe and convenient access is available to the car parking area in accordance with the provisions of 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 document 2021-2027.

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

Reason: In order to ensure that adequate and accessible parking provision is available to meet the needs of the development in the interests of highway safety, and to encourage travel to and from the site by ultra-low and zero emission vehicles 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.

- 14 (a) The development hereby approved shall not be occupied until a travel plan has been submitted to and agreed in writing by the Local Planning Authority.

The travel Plan shall include:

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

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

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy 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.

- 15 Before the development hereby approved is first brought into use the cycle storage shown on plan ref. 1984/3.1.02A dated 08/08/2022 shall be provided and shall thereafter be retained and maintained as such.

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.

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

- specify energy efficiency measures to be used within the development;
- specify renewable energy features to be used within the development;

- specify measures to reduce water consumption by the development.

The development shall thereafter proceed and be operated in full accordance with agreed the Sustainability Strategy.

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

- 17 The development hereby approved shall proceed in full accordance with the reasonable avoidance and mitigation measures identified in the Bat Survey and Method Statement dated 20/10/2022, prepared by Dave Anderson Batworker Ecological Consultancy.

Reason: In order to safeguard protected species 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 document.

- 18 Prior to first occupation, a scheme for the provision of home-owner information packs (as outlined in the Habitats Regulations Assessment completed for this application) highlighting the sensitivity of Liverpool Bay Special Protection Area (SPA), Ribble and Alt Estuaries SPA, the Ribble and Alt Estuaries Ramsar site and the Ribble Estuary Site of Special Scientific Interest (SSSI) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall:

- include the content of the home-owner information packs which must explain the conservation values of the identified SPA's, Ramsar site and SSSI, the potential impacts that can arise from residential development, explain the responsible behaviours in the vicinity of the housing development along with what would be required from residents to avoid undue ecological impact;
- the identification of Suitable Alternative Natural Green Spaces (SANGS) which should be used for recreation as an alternative to more sensitive sites;
- include a methodology for the distribution of the homeowner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In the interests of safeguarding designated sites and areas and biodiversity from recreational disturbance in close proximity to Liverpool Bay SPA, Ribble and Alt Estuaries SPA, the Ribble and Alt Estuaries Ramsar site and the Ribble Estuary SSSI in accordance with Policies CS6 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31, DM33, DM35 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 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 45 degree 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
- all operational plant will be well maintained and turned off when not in use
- bunded fuel storage and refuelling areas shall be located away from any drains;
- appropriate spill management equipment is to be kept on-site and capable of being effectively utilised by trained operatives to contain any accidental spillage within any part of the operational area;
- a toolbox talk is to be completed by a suitably qualified ecologist to ensure contractors are aware of the Liverpool Bay Special Protection Area (SPA), the Ribble and Alt Estuaries Special Protection Area, the Ribble and Alt Estuaries Ramsar and the Ribble Estuary Site of Special Scientific Interest (SSSI) and their ecological importance; and
- a 'Site Tidy' protocol is enforced on-site. All litter is to be appropriately controlled, whilst on-site materials are to be adequately stored and secured over-night.

Reason: In the interests of safeguarding designated sites and areas and biodiversity in accordance with Policies CS6 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31, DM33, DM35 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

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

- Provision of integrated bird and bat boxes

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

- 21 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 and shall include lighting details for the undercroft area.

Reason: In the interest of the appearance of the site and locality, to safeguard the amenities of nearby residents and to ensure that the development is safe and accessible 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 document 2012-2027.

- 22 Before the development hereby approved is first brought into use the refuse storage shown on plan ref. 1984/3.1.02A dated 08/08/2022 shall be provided and shall thereafter be

retained and maintained as such. No bins or refuse shall be stored forward of the front elevation of the building other than on the day of presentation for collection.

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

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

Reason: In order to safeguard the living conditions of the occupants of the development and nearby residential properties in accordance with Policies CS7 and CS12 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.

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

Reason: In order 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 DM20 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 25 At least 21 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 (eg 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 Civil Aviation Authority Advice Note 4 'Cranes & Other Construction Issues'.

Reason: In the interest of aerodrome safeguarding and in accordance with Policy DM42 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document 2012-2027.

ADVICE NOTES TO DEVELOPERS

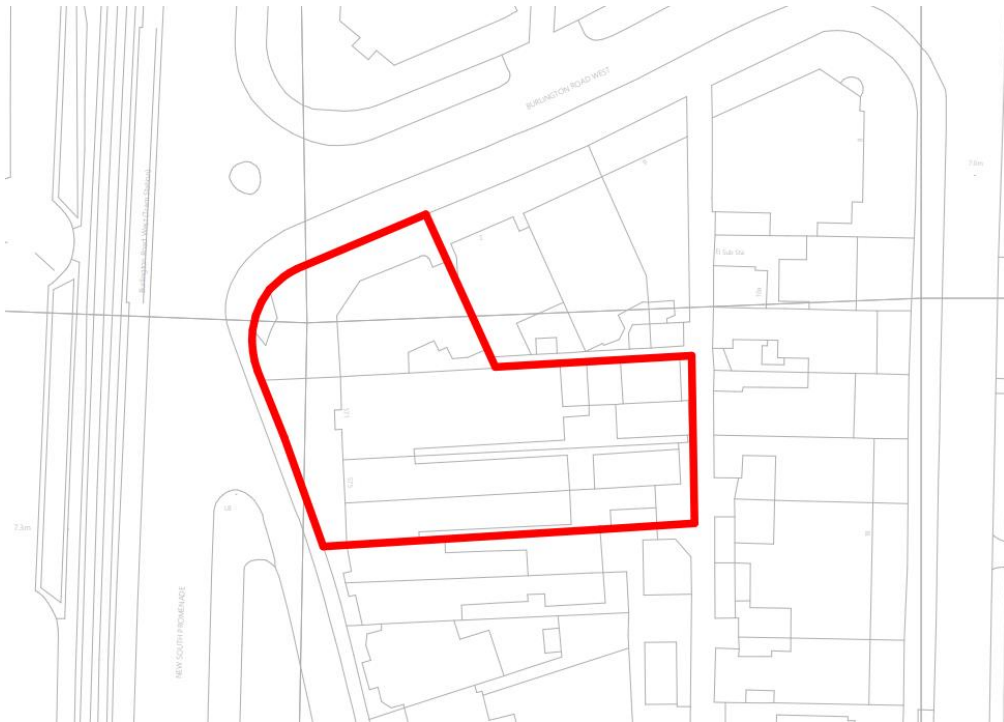
1. Non-Road Mobile Machinery:

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction,

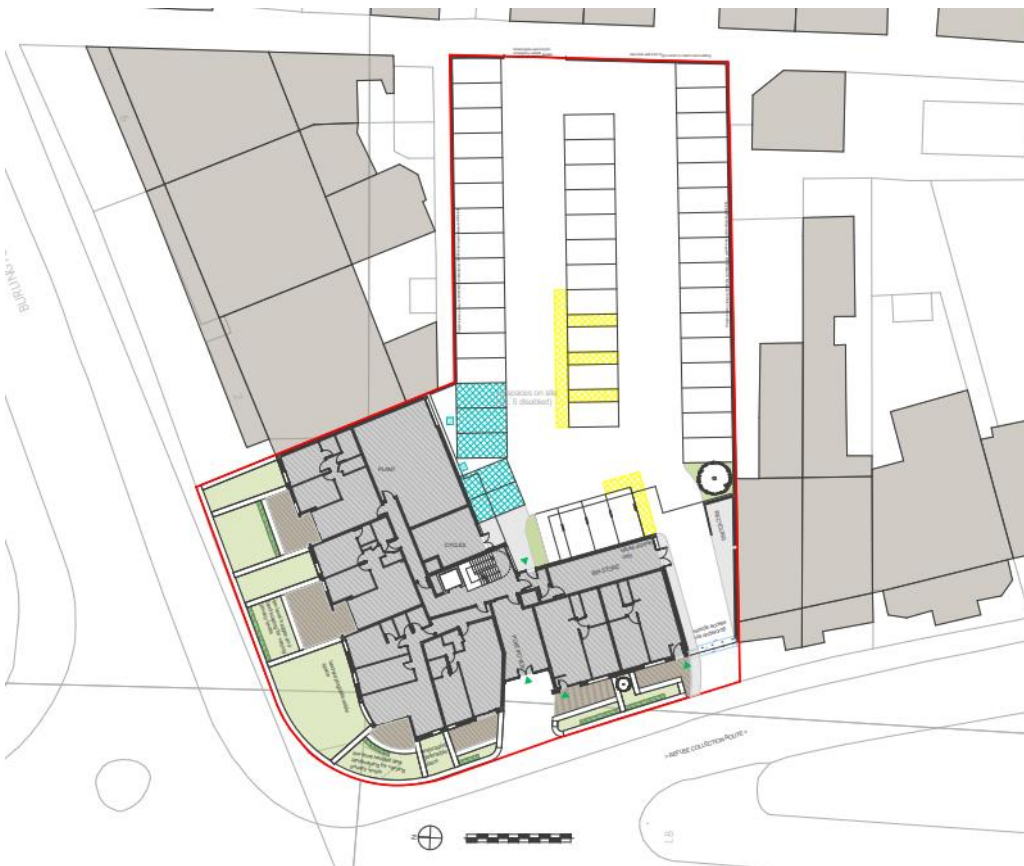
demolition, and/ or operation, at that site, the machinery used should meet or exceed the latest emissions standards set out in End 2 Regulation (EU) 2016/1628 (as amended). This should apply to the point that the machinery arrives on site, regardless of it being hired or purchased. Use of low emission technology will improve or maintain air quality and support developers in improving and maintaining local air quality standards and support net zero objectives. The item(s) of machinery should also be registered (where a register is available) for inspection by the local authority. Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs, etc.

Appendix 6a 22/0168 – New South Prom – North Site – plans

Location plan:



Proposed site layout plan:



Ground floor plan:



First, second and third floor plan:



Fourth floor plan:



Fifth floor plan:



Proposed north elevation:



Visual:



Visual:



Visual:



Visual:



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**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	23/0426, 23/0430 and 23/0440
Ward:	Squires Gate
Application type:	Various
Location:	HARROW PLACE AND 647-651 NEW SOUTH PROMENADE, BLACKPOOL, FY4 1RP
Proposal:	23/0426 – internal and external alterations involving no change in residential unit numbers 23/0430 – subdivision of one existing flat into two flats 23/0440 – creation of two additional flats
Recommendation:	To note
Recommendation Summary:	This report seeks to explain the issues that relate to parking that apply to all three applications. It is intended to assist Members by ‘setting the scene’ for the following three reports to enable easier understanding and appreciation of the proposals and the way in which they have been assessed.
Meeting date:	09/04/24
Reason for bringing to Committee:	N/A
Case officer:	Caron Taylor
Case officer contact:	01253 476221

1.0 Introduction

- 1.1 This report is intended to serve as an umbrella report for the three applications referenced. The three applications relate to the Coastal Point residential flat development. All applications share common issues in relation to the provision of car parking.

2.0 Relevant planning history including the three applications on this agenda at Items 8, 9 and 10

- 2.1 16/0421 (original permission) – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works – approved. A S106 legal agreement was entered into as part of this grant of planning permission which sort to create car parking within the public highway to meet the parking needs generated by this development.
- 2.2 14/0448/14/0763, 16/0204, 16/0560 and 18/0501 – various applications at nos. 653-655 Harrow Place to provide 19 self-contained permanent residential flats. Whilst this application is not referenced in the S106 legal agreement entered into under application ref.

16/0421, the associated Committee report to that application appears to imply that the parking provision envisaged on the public highway was intended to serve the entirety of Coastal Point, i.e. the properties at 653-655 in addition to those at 2-4 Harrow Place and 647-651 New South Promenade.

- 2.3 23/0426 – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works - Application under section 73 to allow the variation of condition 1 attached to planning permission 16/0421 to alter various floor layouts, relocation of gym and entrance position, removal of residents lounge in C Block, relocation of windows and amendments to highway and car parking layouts.
- 2.4 23/0430 – Conversion of previously approved single apartment to 2no. Self-contained permanent flats.
- 2.5 23/0440 – Use of part of the ground floor as 3 self-contained permanent flats.

3.0 Parking provision

- 3.1 When granting the original planning permission for 66 flats (ref. 16/0421), given the size and shape of the application site it was not possible to provide a significant level of off-street car parking on the site. Only 16 spaces could be provided to the rear of the building. It was therefore proposed that Harrow Place and New South Promenade would be reconfigured in partnership with the Council. This would involve making Harrow Place one way to maximise the number of parking bays which could be created, with further parking introduced on the New South Promenade frontage of the site.
- 3.2 The original approval for this site (ref. 16/0421) granted planning permission for the creation of 66 flats. However, planning permission had previously been granted for 19 units at nos. 653-655 New South Promenade (variously under references 14/0448/14/0763, 16/0204, 16/0560 and 18/0501). The Committee report for the original permission on this site notes that together these two developments would provide 85 flats and that the parking scheme devised would allow for 88 spaces. The report appears to imply that this provision would meet the needs of the entire Coastal Point development across nos. 2-4 Harrow Place and 647-655 New South Promenade as the overall scheme of 85 flats would have benefitted from 88 spaces as follows:
 - 16 on-site accessed via the underpass to the rear of the building;
 - 3 to the front of nos. 653-655 New South Promenade (outside the red edge of this application site);
 - 14 to the front of nos. 647-651 New South Promenade (part inside and part outside of the red edge of this application site);
 - 55 on Harrow Place
- 3.3 Therefore, although the parking provision proposed in relation to the original permission for this site only strictly related to the 66 units proposed as part of that scheme, the accompanying Committee report clearly considered the level of parking in the context of the overall Coastal Point development. Overall, this equated to roughly one space per flat, and was considered to be acceptable given that the site is in a highly sustainable location on tram and bus routes. Although the Council's current parking standards would typically now

require provision of 150% parking for flats, the highly accessible nature of the site means that 100% provision, or one space per flat, would still be acceptable for the current application. This would also be consistent with the approach taken in respect of the adjacent development approved at nos. 6-8 Harrow Place under ref. 21/0386.

- 3.4 Members will recall at July committee they approved a scheme for 15 flats in the building adjacent to this site at 6-8 Harrow Place. This was subject to a number of conditions including the requirement to provide a parking scheme.
- 3.5 Current application ref. 23/0426 would not amend unit numbers within the Coastal Point development. However, application ref. 23/0430 would involve the subdivision of one flat into two creating an additional unit of accommodation. Application ref. 23/0440 would convert the space originally intended to provide a gymnasium into two further flats. As such, the three applications taken together would increase the total number of flats in the Coastal Point development from 85 to 88. This figure includes the 19 flats approved at nos. 653-655 New South Promenade.
- 3.6 The Council has devised a potential comprehensive parking scheme on Harrow Place and New South Promenade that would meet the combined parking needs of the this scheme and the already approved flats at 6-8 Harrow Place next door (i.e. all of the new residential development reasonably anticipated in the very immediate vicinity). Overall, this parking scheme would deliver 76 spaces within the public highway. Of these, 15 would be allocated to the adjacent proposed development, with 61 spaces on Harrow Place and New South Promenade allocated to the Coastal Point development. In addition, Coastal Point also benefits from the 16 spaces in the rear yard (accessed via the underpass) and a further 10 will be created on their own land on the New South Promenade frontage.
- 3.7 This would give a total of 87 spaces for the 88 units proposed across the whole Coastal Point development (including the 19 flats at 647-655 New South Promenade, known as block A). This relates to just less than one space per flat. Given the accessibility of the site, this level of parking is considered appropriate to serve the developments.

4.0 Parking delivery

- 4.1 It would be the Council's intention to deliver the parking for the two schemes (Coastal Point and 6-8 Harrow Place) as one piece of work to minimise costs and reduce disruption to the local area, rather than it be undertaken in two phases for the two adjacent developments. It is intended the parking would be delivered as a joint venture between the Council and the relevant land-owners/developers. Members are respectfully advised that works within the highway do not need planning permission and can be done under the Council's highway powers.
- 4.2 The Council has undertaken to cover the cost of service diversion works as its contribution to the scheme and would not seek to recover this outlay. The rest of the monies would be returned to the Council partly through the payment of a financial contribution, and partly through a commitment to purchase resident parking passes at an elevated charge. As the parking would serve two separate developments, but would be delivered by the Council as one scheme, very careful consideration has been given to potential mechanisms that could be used to secure it.

- 4.3 Throughout this process it has been recognised that the Council's parking scheme to meet all development requirements in the immediate area could only be delivered with the cooperation of the two developers involved.
- 4.4 Unlike the adjacent building at 6-8 Harrow Place, the Coastal Point scheme is at an advanced stage of development and is already partly occupied generating parking pressure in the nearby area. As a result the Council would prefer to ensure that the parking provision is delivered as soon as possible to meet the current demand from existing residents of Coastal Point and those yet to move in.
- 4.5 If the three applications this report relates to are supported by the Committee, a new S106 legal agreement would be entered into it. Each application would be dependent upon the completion of this S106 for the grant of planning permission. Any such agreement could secure the necessary contributions to cover the parking provision for the scheme.
- 4.6 With regard to the Coastal Point development, the S106 agreement would require the applicant to:
- Put forward some of their land to be dedicated as highway to allow the highway/parking works to be take place.
 - Pay the Council a lump sum financial contribution towards the costs of providing the highway works to create the car parking spaces;
 - Purchase from the Council any of the resident parking permits allocated for Coastal Point that are not purchased by residents for a period of 5 years from the permits being made available for purchase.
- 4.7 Although entirely separate from this application and proposal, it is recognised that Members are likely to want to understand how the proposals above would tie with the permission granted at nos. 6-8 Harrow Place (ref. 21/0386). It is intended that the S106 agreement for the developer of the adjacent plot at 6-8 Harrow Place would likewise require that developer to put forward some land for dedication, pay a lump sum towards the highway works, and purchase parking permits for a period of 5 years. Very stringent care has been taken to ensure that both developers are treated equally, and that the financial contributions made reflect an accurate proportion of the overall costs based on the proportion of spaces allocated to each scheme. It will be necessary for the developer of nos. 6-8 Harrow Place to submit a discharge of condition application in order for their S106 agreement to be entered into.
- 4.8 Members are advised that it is the Council's intention to deliver as many parking spaces as is possible (accepting that some spaces will require the dedication of land currently within the ownership of the applicant at 6-8 Harrow Place) regardless of any progress with the developer at nos. 6-8 Harrow Place. Appropriate flexibility would need to be built into the S106 to enable the spaces to be used and generate income for the Council in the event that permission ref. 21/0386 is not immediately or indeed ever implemented.
- 4.9 The requirement for the developers to cover the cost of any permits not taken up by residents for the first five years essentially ensures that 100% of the parking provision would be available for resident use over that time period. After 5 years, this requirement would cease. It may then be the case that the number of spaces available exceeds resident demand for parking. This could then result in inefficient use of the spaces on Harrow Place which would hamper the Council in recouping its capital expenditure. It may therefore be

necessary at that time for the number of spaces made available for resident use to be reduced, and the unused resident spaces given over to general pay and display parking.

- 4.10 The scenario set out above may mean that, whilst the current proposed parking arrangements before the Committee would secure a more or less 1:1 parking ratio to begin with, this may change in the future depending upon the level of resident demand over time. This will not be controlled through the planning system but would be for the Council's highways and parking departments to manage at that time as they consider appropriate.

5.0 Overall conclusion with regard to car parking

- 5.1 It has always been the intention that Harrow Place would be reconfigured to create parking to facilitate the developments on the corner of New South Promenade and Harrow Place, replacing buildings that had long stood empty. It is considered without the parking scheme proposed the ambitious redevelopment of the site could not have occurred leaving a dilapidated site to the detriment of the immediate streetscene and wider area. Whilst the proposal would result in the loss of general parking for other residents and visitors in the immediate vicinity, it is considered on balance that the benefits of redeveloping the site to a good standard and providing sufficient parking for it outweighs the negative impacts associated with the scheme.
- 5.2 In terms of the layout of the highway, as stated previously, works within the highway do not need planning permission and can be done under the Council's highway powers which are subject to separate procedures. The final details of the highway scheme will therefore be arranged under highway legislation but will meet all relevant highway safety standards.
- 5.3 Overall, the parking scheme envisaged by the Council, in addition to the existing off-street car parking spaces in the rear yard area, are considered to be sufficient to meet the needs generated by the Coastal Point development that would result in the event that planning application refs. 23/0426, 23/0430 and 23/0440 are approved.

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Appendix 7a Proposed Highway Layout



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Blackpool Council
Development Management

Officer Report to Committee

Application ref:	23/0426
Ward:	Squires Gate
Application type:	Section 73 (full)
Location:	
HARROW PLACE AND 647-651 NEW SOUTH PROMENADE, BLACKPOOL, FY4 1RP	
Proposal:	<p>External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works.</p> <p>Application under section 73 and section 73A to allow the variation of condition 1 attached to planning permission 16/0421 to alter various floor layouts, relocation of gym and entrance position, removal of residents lounge in C Block, relocation of windows and amendments to highway and car parking layouts.</p>
Recommendation:	Resolve to support the application and delegate approval to the Head of Development Management subject to the conditions listed at the end of the report and completion of a section 106 legal agreement.
Recommendation Summary:	The changes that have been made to the building and those proposed are considered acceptable subject to conditions. The proposed development is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment.
Meeting date:	
09/04/24	
Reason for bringing to Committee:	Objections have been received and the application is a major-scale scheme of general public interest.
Case officer:	Caron Taylor
Case officer contact:	01253 476221

This application is partly made under Section 73 and partly Section 73A of the Town and Country Planning Act 1990. That is, to approve alternative plans for the building for changes that will be made to complete the building, and to approve retrospectively, changes that have already been made (breach of conditions attached to the previous permission).

1.0 SITE DESCRIPTION

- 1.1 The application site is situated on the corner of Harrow Place and New South Promenade to the south of the Solaris Centre. It was formerly care homes. Historically it was attached to the (now vacant) Glenshee Hotel to the east at 6-8 Harrow Place which has planning permission (under ref: 21/0386) to be altered and redeveloped into flats. To the south the adjacent property on New South Promenade has already been redeveloped into flats by the current applicant and these are occupied. The buildings owned by the applicant are together known as Coastal Point. Beyond the Coastal Point development to the south on New South Promenade are hotels.
- 2.2 The site is within Flood Zone 1 and the Blackpool Airport Safeguarding Zone. The site falls within the setting of the locally listed Solaris centre on the opposite side of Harrow Place. No other relevant constraints have been identified.

2.0 BACKGROUND AND PROPOSAL

- 2.1 In July 2018 planning permission was granted for external alterations to include a front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works.
- 2.2 The works commenced and many of the flats created are now occupied, however alterations have been made to the scheme as it has been built from what was approved by the 2018 permission. In addition the applicant wishes to make further changes as they complete the building.
- 2.3 The application has been supported by:
- A Financial Viability Assessment

3.0 RELEVANT PLANNING HISTORY

- 3.1 16/0421 (original permission) – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works – approved. A S106 legal agreement was entered into as part of this grant of planning permission which sort to create car parking within the public highway to meet the parking needs generated by this development.
- 3.2 A non-material amendment was approved in May 2019. This permitted:
- 1) 0.8 deep metre extension to balconies on 1st to 5th floor;
 - 2) 3.1 metre wide extension to Harrow Place elevation celebration corner;
 - 3) Non-construction of previously approved lifts and walkway in internal courtyard and internal alterations to enable their repositioning to inside of building.

- 3.3 It should be noted that the following associated applications are also on this committee agenda:
- 23/0430 – Conversion of previously approved single apartment to 2no. self-contained permanent flats.
 - 23/0440 – Use of part of the ground floor as 3 self-contained permanent flats.
- 3.4 Whilst outside of the current application site, it is relevant to make reference to the planning permissions granted at nos. 653-655 New South Promenade which is also within the applicant's ownership and forms part of the Coastal Point development. Applications 14/0448/14/0763, 16/0204, 16/0560 and 18/0501 refer. Whilst this application is not referenced in the S106 legal agreement entered into under application ref. 16/0421, the associated Committee report to that application appears to imply that the parking provision envisaged on the public highway was intended to serve the entirety of Coastal Point, i.e. the properties at 653-655 in addition to those at 2-4 Harrow Place and 647-651 New South Promenade.

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 5 – Delivering a Sufficient Supply of Homes
- Section 8 - Promoting healthy and safe communities
- Section 11 – Making Effective Use of Land
- Section 12 - Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

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 (Core Strategy)

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

- CS2 Housing Provision
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage
- CS10 Sustainable Design and Renewable and Low Carbon Energy

- CS11 Planning Obligations
- CS13 Housing Mix, Standards, and Density
- CS14 Affordable Housing
- CS15 Health and Education

4.4 Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

4.4.1 Part 2 was adopted in February 2023. The following policies are considered to be most relevant to this application:

- DM5 Residential Conversions and Sub-Divisions
- DM10 Promenade and Seafront
- DM17 Design Principles
- DM20 Extensions and Alterations
- DM21 Landscaping
- DM28 Non-designated heritage assets
- DM31 Surface water management
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM41 Transport Requirements for New Development

4.6 Other Relevant documents, guidance and legislation

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

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

4.6.3 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.

4.6.4 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.

- 4.6.5 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.
- 4.6.6 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.
- 4.6.7 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government's clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

5.0 CONSULTEE RESPONSES

- 5.1 **Environmental Protection** - State they have no comments.
- 5.2 **Local Highway Authority** - State they have no objection.

6.0 REPRESENTATIONS

- 6.1 Press notice published: 06/07/23
- 6.2 Site notice published: 30/06/23
- 6.3 Neighbours notified: 30/06/23
- 6.4 Councillor Gerard Walsh has made comments neither objecting to nor supporting the application as follows:
- In order to see the parking scheme move forward he welcomes solutions given to the residents of Costal Point and the redaction of the perpendicular parking (directly) outside number 10 Harrow Place. However, as much as he welcomes the proposed lay-by, he does have reservations on what (if any) parking restrictions would be imposed once the work has been completed. This does not appear to be noted in any of the supporting documentation within the application. Supporting both the residents of Costal Point and the residents of 10 Harrow Place he believes a simple solution to the issues surrounding the lay-by would be to deliver a 'parking restriction free zone' on the said lay-by. Similar to what is currently in place. This would ensure that all the interested parties are listened to and that their expectations are met by the authority - especially those that were discussed at length with the residents at No 10 Harrow Place and Council Officers on numerous occasions.

6.5 Twenty- nine representations have been received to the application:

6.6 Letters of support have been received from twenty five residents of Coastal Point on the following grounds:

- Tourists park on Harrow Place providing no revenue for the Council and frequently leaving mess and litter;
- It is not unreasonable for residents of Coastal Point to be able to park their car near to their homes;
- They do not expect a permit for free, but expect to pay for it;
- Given its location the area surely could not sustain free parking forever and the Council wants tourists to pay for parking. Common sense says it is more beneficial to have residents parking which will provide yearly revenue to the Council and people who live there being more inclined to keep the area tidy?;
- They were promised a parking space when we bought their apartment;
- It is particularly important to remember the negative visual impact these buildings had to Harrow Place prior to works commencing. This development has improved the look and feel of the area and it is worth noting that any objectors concerns will be offset by the improvement to the local area;
- They are disabled with a blue badge and on many occasion have returned home unable to find a space near the apartments and on some occasions have been scared to leave for fear of not being able to park on their return;
- The application should be approved to improve life living here and improve the area;
- The scheme would improve parking and contemporaneously reduce risks at what could be considered a poorly designed road junction onto the seafront;
- The creation of a parking area in Harrow Place for Coastal Point residents is an integral element of the development and clearly a scheme was fundamental to the Council's approval of the original application;
- They cannot see an issue providing the long-standing resident [no.10 Harrow Place] has unobstructed access to their sizeable drive and garage;
- With regards to the small terraces proposed for the ground floor apartments they are in favour as without them there is a severe lack of privacy;

6.7 Four objections have been received from residents of:

- 10 Harrow Place
- 85 Clifton Drive
- 106 Clifton Drive

6.8 These objections raise the following issues:

- They have always supported the new development and the proposed parking scheme had to be created due to insufficient parking in the area. They want it building as soon as possible, but object to this application through fear of the Council not sticking to their previous verbal agreement to honour their

promise giving unrestricted parking in the layby outside no. 10 Harrow Place for one space. It should be for general use with no limitations;

- They draw attention to plans that show a 'potential parking lay-by limited waiting for general use';
- They have always been able to freely park in Harrow Place. Under the proposal of 16/0421, made 7 years ago and the more recent 21/0386, it has always been a concern whether their household's capability to park in Harrow place would be maintained and not overlooked. The proposals effectively take a public highway and convert it into a private carpark for exclusive and sole use of residents of the new apartments being developed, the public will not be able to use them. So, if it became the case that Blackpool Council removed the ability for a longstanding Council tax payer to park, in favour of a rights of new residents given over under a commercial enterprise, it seems hardly democratic and shows little care for existing residents;
- The state the Council have assured them that their household will maintain the ability for parking on Harrow Place it has currently;
- They do not agree with the proposed restricted parking in Harrow place as it will have a detrimental effect on surrounding roads and streets and on the Solaris centre;
- Allocating parking for the new development will prevent any visitors, tradespeople or healthcare professionals visiting locally from parking in Harrow place as there are already double yellow lines the length of Clifton Drive. Whilst they acknowledge the perpendicular parking previously proposed is not part of this plan, what this plan is losing is public highway to afford private parking to a private complex. There are almost 90 apartments in the complex many of whom it appears from comments were promised allocated parking which could not be promised given previous plans. Resident's issues are with the contractor who detailed that. Clifton Drive lost eight parking spaces when the crossing island was put in opposite the recycling bins at the back of the Solaris centre. Those living on Clifton Drive close to Harrow Place without off-street parking will not be able to receive visitors;
- Income to the Solaris centre may well be affected if meeting rooms and training cannot be carried out because there is inadequate parking which until the development was never an issue;
- Council tax should not be used on a private car park for a private complex. Harrow place is a public road and public right of way currently with free parking, not allocated and they believe it should stay that way;
- On street parking is always a vexatious issue. A shortage of parking space could be alleviated by the demolition of the derelict and dangerous property situated at 6-8 Harrow Place.

7.0 ASSESSMENT

7.1 Principle

- 7.1.1 The proposal is a part section 73, part section 73a application relating to changes that have been made to the development as it has been built out that deviate from the original plans approved in 2018. The application also covers further alterations the applicant wishes to make to the original plans as they finish the building. The number of flats remains the same as approved at 66.
- 7.1.2 The acceptability of the principle of the proposal has already been established by the 2018 permission that has been implemented. This report therefore relates to the acceptability of the changes to the originally approved plans that have either already been carried out or are proposed to be carried out.

7.2 Planning Obligations

- 7.2.1 Under policies in the Development Plan there are requirements, where relevant, for new developments to make contributions to infrastructure. These include affordable housing, education, public open space, trees and health care provision.
- 7.2.2 Under the previous permission for this site there was a requirement for a financial contribution towards public open space (POS), which has not been paid. Although the amount of the POS requirements have now increased from the previous permission and payments towards trees introduced (due to the adoption of the Greening Blackpool SPD), the contributions for the original permission were calculated under SPG11 (Open Space Provision for New Residential Development and the Funding System). This permission was implemented and this is considered to be a fall-back position in this case which would justify charging the same amount for this application that makes changes to the original scheme but for the same number of flats. Given that public open space still cannot be provided on site, this would result in a financial contribution of £45,408 in lieu of on-site provision.
- 7.2.3 There has been some discussion between the agent and the Council as to whether the amount for POS that would normally be required could be charged on the current application given the wording of the previous condition and whether it has already been complied with. However, to expedite determination, the applicant has elected to submit financial information to demonstrate that payment of a financial contribution towards public open space would render the scheme financially unviable.
- 7.2.4 Viability is a material planning consideration as set out in the NPPF, and the approach that should be adopted is set out in the National Planning Guidance (NPG). The applicant has submitted a viability argument in relation to the scheme on the basis that the value generated by the development would be less than the cost of developing the site if they had to pay all the financial obligations required by policy as well as pay to provide the necessary parking.

- 7.2.5 The applicant has submitted a report that they state demonstrates their argument. However, as per the report produced for the adjacent scheme granted planning permission last year, what has been submitted is not a financial viability assessment that follows the approach as set out in the NPPG. However, the Council has also had the report professionally independently reviewed and a financial viability appraisal of the scheme has been undertaken that adheres to RICS Guidance Note: Financial Viability in Planning; Conduct and Reporting and the NPPG. This is considered a robust review of the financial viability of the site. The report demonstrates that the site is not financially viable in planning terms for the scheme to provide any Section 106 policy compliant requirements other than a contribution towards the highway works.
- 7.2.6 Therefore whether the POS contribution could be lawfully required on this scheme or not is now academic as it has been proven that it is not financially viable to provide it. There is therefore no need to come to a conclusion on this point.
- 7.2.7 As per the adjacent scheme, in such situations a planning judgement has to be made as to which of the obligations should take priority, and whether or not the overall benefits of the proposal justify the grant of planning permission in the absence of full obligations. In this case it is considered that, as next door, the most important element is the provision of parking as without it the proposal would have a significant detrimental impact on the surrounding area and residents. Nevertheless, the lack of public open space contribution does weigh against the scheme and must be considered in the overall planning balance (please see para 7.8.5).
- 7.2.8 New housing schemes would normally generate a requirement for affordable housing under and contributions towards healthcare and education as required, however it was demonstrated as part of the original application that the viability of the proposal would not support an affordable housing contribution and there was no requirement for contributions towards health or education. The number of flats remains the same as the original permission, it is amendments to the scheme that have required the submission of this application. It is therefore considered that the extant permission is a fall-back position that must be taken into account along with the current viability argument and as a result it would be unreasonable to require such contributions.

7.3 Amenity

- 7.3.1 The New Homes from Old Places SPD along with the DCLG National Technical Housing Standards set out standards for new residential accommodation. They give guidance on the size of accommodation that will ensure good quality accommodation is provided based on the number of bedrooms and number of people that could occupy it.
- 7.3.2 Part 1 Policy CS13: Housing Mix, Density and Standards sets out the house types and sizes, design standards and density required from new developments to provide an appropriate mix of quality homes, which help to rebalance Blackpool's housing supply and support sustainable communities. These include: new flat developments

will not be permitted which would further intensify existing over-concentrations of such accommodation and conflict with wider efforts for the comprehensive improvement of the neighbourhood; where flat developments are permitted, at least 70% of flat accommodation should be 2 bedrooms or more; providing quality living accommodation, which meets the relevant standards in place for conversions or new build development.

- 7.3.3 Only five of the sixty six flats as amended from the original scheme have one bedroom so the scheme complies with the required split with 92% having at least two bedrooms.
- 7.3.4 In terms of the flats themselves they are grouped into Blocks B (nos B1-B22), C (nos C1-C25), D (nos D1-D15) and E (nos. E1-E9). Together the five blocks form the Coastal Point scheme. Block A falls outside of the red edge of this application site and comprises nos. 653-655 New South Promenade. All of the flats in block C comply with the space standards applied by the Council as set out above. In terms of blocks B, D and E some of the flats fall short of the space standards in some areas and others have windows looking on to small light wells. There is also one bedroom only illuminated by a roof light. However many of these flats are the same size and have the same outlook as was approved by the 2018 permission, so there has been no material change to their quality. Of the ones that have changed, overall the number of flats falling short of the standards is roughly the same as the 2018 and others have been increased in size. Overall it is considered that the scheme results in an acceptable standard of accommodation when compared to the original scheme as approved in 2018.
- 7.3.5 Other changes that have or will be made in completing the scheme involve internal layout amendments including: fire protection lobbies to protect staircases with smoke shaft and dry risers required to comply with the latest fire regulations post Grenfell, and revisions to the ground floor layout including but not limited to the residents' gymnasium and sauna being relocated from block D/E to block C. This would not have a material impact on amenity and is considered to be acceptable.
- 7.3.6 As a result of the internal changes part of the ground floor of block D and E would become vacant. It should be noted that parallel application ref. 23/0440 proposes that this would become two additional flats. Application 23/0430 proposes to subdivide the top floor penthouse flat C25 into two flats. These applications are also on this agenda for determination.
- 7.3.7 The previously approved residents' lounge and concierge is no longer to be provided but a cycle store has been added in block C where the entrance to flat C2 has also been moved from the side of the building to the front. This is considered to be acceptable.
- 7.3.8 Overall it is considered that the proposal as built and proposed would provide a satisfactory quality of accommodation for residents. It is also not considered that the changes to the building structure would have any worse material impact on the adjacent properties than the scheme as originally proposed. The proposal is

therefore considered to be in accordance with Policies CS13 and CS23 of Part 1 and Policy DM5 of Part 2.

7.4 Visual and heritage impact

- 7.4.1 A number of external alterations have been made or are proposed to be made to the building. These include: white rendered privacy screens between adjoining balconies instead of the previously approved glazed ones; omission of balconies on some of the C block flats fronting New South Promenade; a secondary fire escape provided between blocks on the fourth floor; other fire escapes; an external meter store has been erected on the west elevation inside the courtyard. Other alterations have been made to the external appearance of the building on the north elevation including the omission of some balconies and changes to the fenestration and detailing of the building. Small enclosed terraces are also proposed to the ground floor flats on both the north and west elevations that were not approved as part of the original scheme. The underpass from Harrow Place to the rear car park has also been reduced from being wide enough for two vehicles to pass, to single width.
- 7.4.2 Some of the changes made are due to changes to regulations. These along with the others although differing from the originally approved plans are considered acceptable. The small terraces yet to be built at ground floor are considered to finish off the building by enclosing patio doors to ground floor flats that otherwise would open straight out towards Harrow Place or the Promenade.
- 7.4.3 On the roof additional roof atriums and roof terraces (with privacy screens) have been added (some are in situ, some are yet to be erected). These visually add height and clutter to the building as they are viewed against the skyline and, as erected, were not considered acceptable. Discussions have taken place with the applicant regarding these and they are proposing that where they meet the front elevation of the building they be chamfered off. In addition they are currently clad in white. This is highly visible against the skyline creating visual clutter. In addition, as the render on the building is of a similar colour, the screens appear as a continuation of the building giving it further height. It is therefore now proposed for the screens to be painted in Goosewing Grey, a light grey that is less stark against the sky and often used to blend structures into the skyline giving them a much more recessive look. This colour is also to be applied to the white render on an area that is visible on the top of block E, again so it will not be as stark against the skyline, reducing its visual height. Subject to these changes these elements are considered acceptable.
- 7.4.4 Overall the above alterations are considered acceptable, subject to conditions (for example ensuring the relevant screens are painted grey).
- 7.4.5 With regard to heritage impact, the site falls within the setting of the Solaris Centre which is locally listed and therefore a non-designated heritage asset. Paragraph 203 of the NPPF explains that any effect on significance should be taken into account, but that a balanced judgement must be taken. In this case, redevelopment of the site has already be judged to be acceptable with the granting of the original permission in 2018. The changes that have been made or are proposed are

considered acceptable and the scheme approved for the adjacent property (6-8 Harrow Place) has been designed as a continuation of this development. The proposal will not have a harmful effect on the setting of Solaris or undermine its significance as a heritage asset.

- 7.4.5 In light of the above, the proposal is considered to be in line with Policies CS7 and CS8 of Part 1 and Policies DM5, DM17 and DM28 of the Local Plan Part 2 and is therefore acceptable.

7.5 Highways

- 7.5.1 Please see report at Agenda Item 7.

7.6 Other Issues

- 7.6.1 The site is in Flood Zone 1 the lowest risk of flooding. Foul and surface water will be drained via the mains sewer as per the previous and existing building which is considered acceptable. It is not considered that the changes to the proposal will have a detrimental impact on drainage or flood risk, nor is it considered they will result in impact to biodiversity or air, water or land quality.

7.7 Other Issues

- 7.7.1 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).
- 7.7.2 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.
- 7.7.3 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.

7.8 Sustainability and planning balance appraisal

- 7.8.1 Sustainability comprises economic, environmental and social components.
- 7.8.2 Economically the scheme would have limited impact but the residential units would help to support local shops and services and some employment has and would be

generated during construction. The scheme would accord with planning policy facilitating the regeneration of this part of the Promenade frontage.

- 7.8.3 Environmentally, biodiversity and environmental quality would not be materially affected and the scheme would positively impact on the street scene and wider area.
- 7.8.4 Socially, the scheme would provide acceptable quality accommodation and would not have an unacceptable impact on amenity. There would be no unacceptable impacts on heritage assets would result. Whilst the scheme will contribute towards the borough's housing provision, as this application seeks to vary an existing permission, it in itself has no material impact.
- 7.8.5 In terms of planning balance, the amendments to the scheme are considered acceptable and would allow the scheme in a prominent position to be completed while securing the necessary parking arrangements. The scheme would not deliver the full range of planning obligations but would bring a former derelict site in a prominent position back into beneficial use by delivering new housing of an acceptable standard. It is considered that this weighs sufficiently in favour of the application that it can be considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view.
- 7.8.6 The development proposed is therefore considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 The scheme would generate Council Tax revenue for the Council but this is not a material planning consideration and so no weight should be afforded to it.
- 8.2 The Council would place itself in a degree of financial risk by providing the car parking required to serve the future needs of this development. However, this has been carefully considered by officers and it is considered that the costs of the works could be satisfactorily recouped. As such, the financial risk is considered to be reasonable and manageable.

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 sufficiently support these priorities by completing a scheme currently under construction on a prominent site to an acceptable standard, on a site that previously stood empty for a long period of time.

10.0 CONCLUSION AND RECOMMENDATION

11.1 The development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view. As such, Members are respectfully recommended to resolve to support the proposal and delegate the application for approval by the Head of Development Management subject to the signing of a S106 agreement to secure the parking scheme necessary to make the development acceptable and the following planning conditions:

1 The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the following plans:

Location plan recorded as received by the Council on 13th June 2023

Ground Floor Plan (Proposed) plan ref: A01-Rev 5

First Floor Plan plan ref: A02 Rev 2

Second Floor Plan plan ref: A04 Rev 2

Third Floor Plan plan ref: A05 Rev 2

Fourth Floor Plan plan ref: A06 Rev 2

Fifth Floor Plan plan ref: A07 Rev 2

Roof Plan plan ref: A09-Rev 4

South + East Elevation plan ref: A11-Rev 5

North Elevation plan ref: A12-Rev 4

West Elevation plan ref: A13-Rev 4

Ground Floor Elevation plan ref: A14

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

2 The privacy screens shall be erected in full conformity (including colour) with the details shown on approved plans:

- A12-Rev 4 (North Elevation);
- West Elevation plan ref: A13-Rev 4
- South + East Elevation plan ref: A11-Rev 5

Any privacy screens already erected shall be altered so they are in accordance with the details on the above approved plans (including colour) within 3 months of this permission.

Reason: In the interests of the appearance of the site and street scene 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.

- 3 The roof of the building (other than where the approved *Roof Plan plan ref: A09-Rev* shows a roof terrace) shall not be used for any other purpose other than as a means of escape in emergency or for maintenance of the building.

Reason: In order 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 DM20 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 4 The car parking for the development not on the highway (the 10 spaces to the front of nos. 653-655 New South Promenade and the 16 in the rear yard accessed via the underpass) once provided, shall thereafter be retained and maintained for parking provision.

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

- 5 Refuse storage provision shown on the approved plans shall be retained.

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.

- 6 Foul and surface water shall be drained on separate systems. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority. The development shall be completed, maintained and managed in accordance with the approved details.

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

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

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

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

- 8 The internal courtyards/light wells serving the building shall be painted or rendered in white. Any not already white shall be painted or rendered in this colour within six months of this permission.

Reasons: To safeguard the amenities of residents of the building 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.

9. The one-way signage in situ at the site underpass shall at all times when the development is occupied be retained and maintained as such.

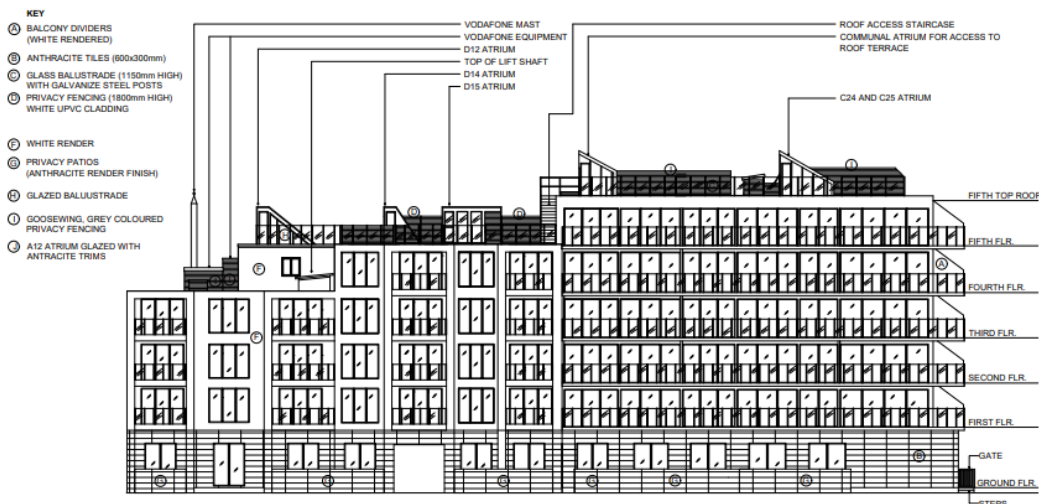
Reason: in order to ensure safe and convenient access for residents in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

Appendix 8a 23-0426 Coastal Point S73 plans

Location plan:



North Elevation:



NORTH ELEVATION



West Elevation:



WEST ELEVATION

Project Title:	Crestal Point
Client:	







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**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	23/0430
Ward:	Squires Gate
Application type:	Full
Location:	FLAT 25, COASTAL POINT, 647-651 NEW SOUTH PROMENADE, BLACKPOOL
Proposal:	Conversion of previously approved single flat to 2no. self-contained permanent flats.
Recommendation:	Resolve to support the application and delegate approval to the Head of Development Management subject to the conditions listed at the end of the report and completion of a section 106 legal agreement.
Recommendation Summary:	The sub-division of one existing flat into two is considered acceptable subject to conditions. The proposed development is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment.
Meeting date:	9 April 2024
Reason for bringing to Committee:	The proposal is on the same site as application 23/0426 which is also on this agenda.
Case officer:	Caron Taylor
Case officer contact:	01253 476221

1.0 SITE DESCRIPTION

- 1.1 The application site is Coastal Point, a set of flats under construction on the corner of Harrow Place and New South Promenade to the south of the Solaris Centre. Some of the flats are occupied although the building is not yet complete.
- 1.2 The site is within Flood Zone 1 and the Blackpool Airport Safeguarding Zone. The site falls within the setting of the locally listed Solaris centre on the opposite side of Harrow Place. No other relevant constraints have been identified.

2.0 BACKGROUND AND PROPOSAL

- 2.1 In July 2018 planning permission was granted for external alterations to include a front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works.
- 2.2 The works commenced and many of the flats created are now occupied, however alterations have been made to the scheme as it has been built from what was approved by the 2018 permission. In addition the applicant wishes to make further changes as they complete the building.

2.3 It should be noted that the following associated applications are also on this committee agenda:

23/0426 – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works - Application under section 73 to allow the variation of condition 1 attached to planning permission 16/0421 to alter various floor layouts, relocation of gym and entrance position, removal of residents lounge in C Block, relocation of windows and amendments to highway and car parking layouts.

23/0440 – Use of ground floor as 3 self-contained permanent flats.

3.0 RELEVANT PLANNING HISTORY

3.1 16/0421 (original permission) – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works – approved

3.2 A non-material amendment was approved in May 2019. This permitted:
1) 0.8 deep metre extension to balconies on 1st to 5th floor;
2) 3.1 metre wide extension to Harrow Place elevation celebration corner;
3) Non-construction of previously approved lifts and walkway in internal courtyard and internal alterations to enable their repositioning to inside of building.

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 5 – Delivering a Sufficient Supply of Homes
- Section 8 - Promoting healthy and safe communities
- Section 11 – Making Effective Use of Land
- 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 Local Plan Part 1: Core Strategy 2012-2027

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

- CS2 Housing Provision
- CS6 Green Infrastructure
- CS8 Heritage
- CS11 Planning Obligations
- CS13 Housing Mix, Standards, and Density

- CS15 Health and Education

4.4 Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

4.4.1 Part 2 was adopted in February 2023. The following policies are considered to be most relevant to this application:

- DM5 Residential Conversions and Sub-Divisions
- DM20 Extensions and Alterations
- DM28 Non-designated heritage assets
- DM41 Transport Requirements for New Development

4.5 Other Relevant documents, guidance and legislation

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

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

4.5.3 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.

4.5.4 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.

4.5.5 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.

4.5.6 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.

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

5.0 CONSULTEE RESPONSES

5.1 **Environmental Protection** - State they have no comments.

5.2 **Local Highway Authority** - State they have no objection.

6.0 REPRESENTATIONS

6.1 Press notice published: N/A

6.2 Site notice published: 30/06/23

6.3 Neighbours notified: 30/06/23

6.4 No representations have been received.

7.0 ASSESSMENT

7.1 Principle

7.1.1 The building already has permission for use as residential flats. The Council's New Homes from Old Places SPD establishes a threshold of 160sqm original floorspace below which subdivision is unacceptable. The existing flat to be subdivided is over this threshold so the proposal is acceptable in principle.

7.2 Amenity

7.2.1 The New Homes from Old Places SPD along with the DCLG National Technical Housing Standards set out standards for new residential accommodation. They give guidance on the size of accommodation that will ensure good quality accommodation is provided based on the number of bedrooms and number of people that could occupy it.

7.2.2 Part 1 Policy CS13: Housing Mix, Density and Standards sets out the house types and sizes, design standards and density required from new developments to provide an appropriate mix of quality homes, which help to rebalance Blackpool's housing supply and support sustainable communities. These include: new flat developments will not be permitted which would further intensify existing over-concentrations of such accommodation and conflict with wider efforts for the comprehensive improvement of the neighbourhood; where flat developments are permitted, at least 70% of flat accommodation should be 2 bedrooms or more; providing quality living accommodation, which meets the relevant standards in place for conversions or new build development.

7.2.3 The two flats created by sub-dividing an existing one will both have two bedrooms so comply with policy. They also both meet the floor space standards used by the Council and so will provide a good level of accommodation.

7.3 Visual and heritage impact

7.3.1 Although an external roof terrace would be created for the additional flat the details and plans for this are covered under the Section 73 application 23/0426 on this agenda. The subdivision of two flats itself would not have any impact on visual amenity or on the setting of the adjacent Solaris Centre a non-designated heritage asset as a locally listed building.

7.4 Highways

7.4.1 Please see report at Agenda Item 7.

7.4.4 Under the Council's parking standards the existing three-bed flat should have two parking spaces. This application if permitted would allow 2 x two bed flats to be created from it, which under the standards would normally require four spaces, two spaces for each flat. As set out in the Umbrella Report accompanying this committee report, the council are accepting one parking space per flat, so the requirement for parking would increase from one space to two spaces. The additional flat therefore generates additional parking demand. The S106 is proposing to secure parking to meet the demand generated from the whole Coastal Point site through the S106. Therefore the S106 seeks to address the demand generated by this proposal and the wider scheme. As per application 23/0426 and 23/0440 on this agenda this application would therefore need to be tied into a new section 106 to secure the necessary contributions to allow the necessary parking to be secured.

7.4.5 A condition is also proposed preventing occupancy of the proposed additional flat prior to the provision of the council's parking scheme being implemented as it will rely on the parking scheme.

7.4.5 The agent contends that the current flat has two parking spaces allocated to it in the rear parking courtyard accessed via the underpass and therefore this application does not generate a greater parking need and should not therefore be tied to the S106 or have a condition restricting occupation until the parking is provided. It may be the case that the current flat has two spaces allocated to it by the applicant, however that was not the intention of the original permission. The Committee report for the original permission for the building (16/0421) clearly states it was approved on the basis of one space per flat, once the scheme was complete. That the applicant has allocated two spaces at the present time to the existing flat cannot therefore be taken into account in the overall parking assessment.

7.5 Other Issues

7.5.1 The site is in Flood Zone 1. However the application is to sub-divide a top floor flat so there will be no impact on floor risk.

7.6 Planning Obligations

7.6.1 Under policies in the development plan there are requirements, where relevant, for new developments to make contributions to infrastructure. These include affordable housing, public open space, trees and health care provision. However, due to the small scale the proposal they are not required from the proposal.

7.7 Other Issues

7.7.1 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).

7.7.2 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set

against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.

- 7.7.3 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.

7.8 Sustainability and planning balance appraisal

- 7.8.1 Sustainability comprises economic, environmental and social components.
- 7.8.2 Economically the scheme would have limited impact but the creation of a new residential unit would help to support local shops and services. The scheme would accord with planning policy facilitating the regeneration of this part of the Promenade frontage as part of the larger scheme.
- 7.8.3 Environmentally, the proposal involves no external alterations and therefore environmental quality and biodiversity would not be materially affected.
- 7.8.4 Socially, the scheme would provide good quality accommodation and would not have an unacceptable impact on amenity. No unacceptable impacts on heritage assets would result. The scheme would contribute towards the borough’s housing provision albeit to a negligible extent.
- 7.8.5 In terms of planning balance, the addition of one flat to the Coastal Point scheme (including when considered together with the two flats proposed by application ref: 23/0440) is considered acceptable. The development proposed is therefore considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 The scheme would generate Council Tax revenue for the Council but this is not a material planning consideration and so no weight should be afforded to it.
- 8.2 The Council would place itself in a degree of financial risk by providing the car parking required to serve the future needs of this development. However, this has been carefully considered by officers and it is considered that the costs of the works could be satisfactorily recouped. As such, the financial risk is considered to be reasonable and manageable.

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 sufficiently support the first of these priorities by allowing growth.

10.0 CONCLUSION and RECOMMENDATION

10.1 The development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view. As such, Members are respectfully recommended to resolve to support the proposal and delegate the application for approval by the Head of Development Management subject to the signing of a S106 agreement to secure the parking scheme necessary to make the development acceptable and the following planning 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 following plans:

Location plan recorded as received by the Council on 17th July 2023

Fifth Floor Plan-(Proposed) plan ref: A08 Rev 2.

South + East Elevation plan ref: A11-Rev 3

North Elevation plan ref: A12-Rev 4

Proposed West Elevation plan ref: A13-Rev 3

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

3 (a) The flats hereby approved shall not be occupied until all of the internal and external alterations shown on the approved plans have been carried out in full and in full accordance with the approved details.

(b) The layout of the accommodation shall thereafter be retained as approved unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation provides an adequate standard of residential amenity in accordance with Policies CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies DM5 and DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027, and the Council's New Homes from Old Places Supplementary Planning Document 2011.

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

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7, CS12 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

5. The privacy screens shall be erected in full conformity (including colour) with the details shown on approved plans:

- North Elevation A12-Rev 4
- West Elevation plan ref: A13-Rev 4
- South + East Elevation plan ref: A11-Rev 5

Any privacy screens already erected shall be altered so they are in accordance with the details on the above approved plans (including colour) within 3 months of this permission.

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. The roof of the building (other than where roof terraces are shown) shall not be used for any other purpose other than as a means of escape in emergency or for maintenance of the building.

Reason: In order 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 DM20 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

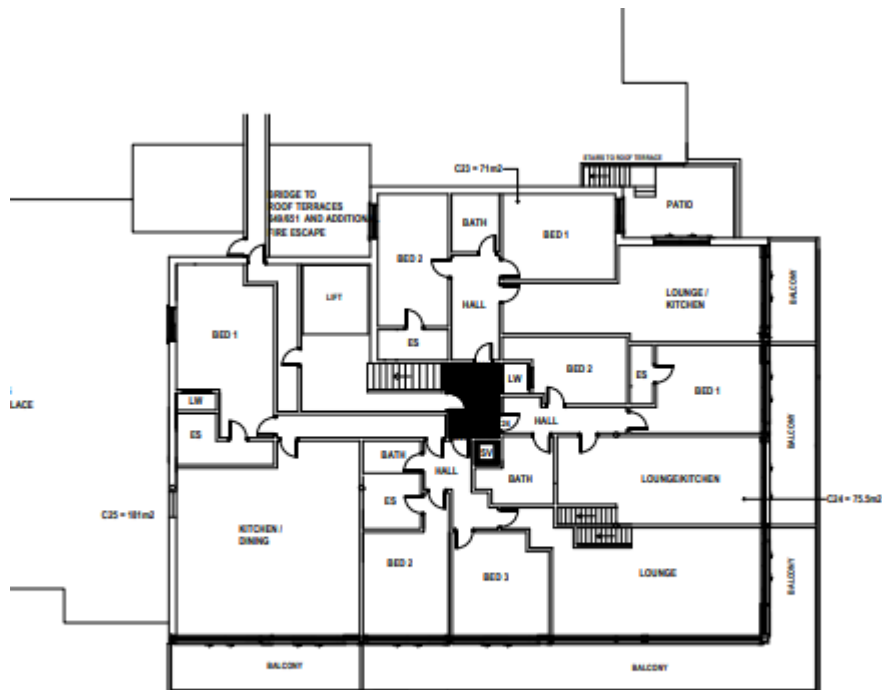
7. The flat hereby approved shall not be occupied until the parking provision secured through the associated Section 106 agreement has been provided.

Reason: In order to ensure that adequate and accessible parking provision is available to meet the needs of the development in the interests of highway safety, and to encourage travel to and from the site by ultra-low and zero emission vehicles 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.

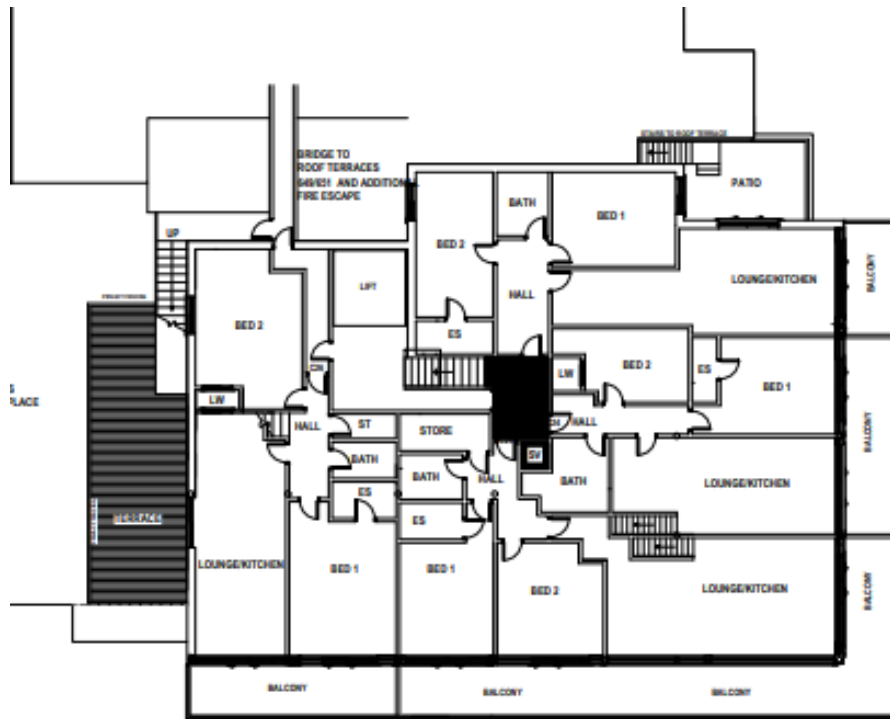
Appendix 9a: Location Plan



Fifth Floor as Built/Existing



Fifth Floor as Proposed



FLOOR PLAN- (PROPOSED)

Project Title:
Coastal Point



**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	23/0440
Ward:	Squires Gate
Application type:	Full
Location:	FLAT 25, COASTAL POINT, 647-651 NEW SOUTH PROMENADE, BLACKPOOL
Proposal:	Use of part of ground floor as 2 self-contained permanent flats.
Recommendation:	Approve subject to conditions
Recommendation Summary:	The sub-division of one existing flat into two is considered acceptable subject to conditions. The proposed development is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment.
Meeting date:	9 April 2024
Reason for bringing to Committee:	The proposal is on the same site as application 23/0426 which is also on this agenda.
Case officer:	Caron Taylor
Case officer contact:	01253 476221

1.0 SITE DESCRIPTION

- 1.1 The application site is Coastal Point, flats under construction on the corner of Harrow Place and the Promenade to the south of the Solaris Centre. Some of the flats are occupied although the building is not yet complete.
- 1.2 Application ref: 23/0426 to make changes to the building as approved is also on this agenda.
- 2.2 The site is within Flood Zone 1 and the Blackpool Airport Safeguarding Zone. The site falls within the setting of the locally listed Solaris centre on the opposite side of Harrow Place. No other relevant constraints have been identified.

2.0 BACKGROUND AND PROPOSAL

- 2.1 In July 2018 planning permission was granted for external alterations to include a front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works.
- 2.2 The works commenced and many of the flats created are now occupied, however alterations have been made to the scheme as it has been built from what was approved by the 2018 permission. In addition the applicant wishes to make further changes as they complete the building.

2.3 The application has been supported by:

- Financial Viability Assessment

3.0 RELEVANT PLANNING HISTORY

3.1 16/0421 (original permission) – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works – approved

3.2 A non-material amendment was approved in May 2019. This permitted:
1) 0.8 deep metre extension to balconies on 1st to 5th floor;
2) 3.1 metre wide extension to Harrow Place elevation celebration corner;
3) Non-construction of previously approved lifts and walkway in internal courtyard and internal alterations to enable their repositioning to inside of building.

3.3 It should be noted that the following associated applications are also on this agenda:

23/0426 – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works.

Application under section 73 to allow the variation of condition 1 attached to planning permission 16/0421 to alter various floor layouts, relocation of gym and entrance position, removal of residents lounge in C Block, relocation of windows and amendments to highway and car parking layouts.

23/0430 – Conversion of previously approved single flat to 2no. self-contained permanent flats.

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 5 – Delivering a Sufficient Supply of Homes
- Section 8 - Promoting healthy and safe communities
- Section 11 – Making Effective Use of Land
- 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 (Core Strategy)

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

- CS2 Housing Provision

- CS6 Green Infrastructure
- CS8 Heritage
- CS11 Planning Obligations
- CS13 Housing Mix, Standards, and Density
- CS15 Health and Education

4.4 Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

4.4.1 Part 2 was adopted in February 2023. The following policies are considered to be most relevant to this application:

- DM5 Residential Conversions and Sub-Divisions
- DM20 Extensions and Alterations
- DM28 Non-designated heritage assets
- DM41 Transport Requirements for New Development

4.5 Other Relevant documents, guidance and legislation

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

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

4.5.3 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.

4.5.4 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.

4.5.5 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.

4.5.6 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.

4.5.7 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government’s clear intention is a material planning consideration. The Council

will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

5.0 CONSULTEE RESPONSES

5.1 Environmental Protection - State they have no comments.

5.2 Local Highway Authority - State they have no objection.

6.0 REPRESENTATIONS

6.1 Press notice published: N/A

6.2 Site notice published: 30/06/23

6.3 Neighbours notified: 30/06/23

6.4 No representations have been received.

7.0 ASSESSMENT

7.1 Principle

7.1.1 The building already has permission for use as residential flats. The area of the building the subject of this application was approved for uses incidental to the flats in the form of a fitness centre, changing rooms, stores and security/concierge. The proposal is now to convert the front part this into two flats, leaving the rear of the building empty.

7.2 Amenity

7.2.1 The New Homes from Old Places SPD along with the DCLG National Technical Housing Standards set out standards for new residential accommodation. They give guidance on the size of accommodation that will ensure good quality accommodation is provided based on the number of bedrooms and number of people that could occupy it.

7.2.2 Part 1 Policy CS13: Housing Mix, Density and Standards sets out the house types and sizes, design standards and density required from new developments to provide an appropriate mix of quality homes, which help to rebalance Blackpool's housing supply and support sustainable communities. These include: new flat developments will not be permitted which would further intensify existing over-concentrations of such accommodation and conflict with wider efforts for the comprehensive improvement of the neighbourhood; where flat developments are permitted, at least 70% of flat accommodation should be 2 bedrooms or more; providing quality living accommodation, which meets the relevant standards in place for conversions or new build development.

7.2.3 The two flats created would both have two bedrooms so comply with policy. They would also both meet the space standards used by the Council in terms of floor space and so would provide a good level of accommodation in terms of floor area.

7.2.4 In terms of outlook the two bedrooms of the flat marked F1 on the plans look out onto a small courtyard/light-well. This is a similar situation to flats in other parts of the building as well as those approved in the adjacent scheme at nos. 6-8 Harrow Place (ref: 21/0386) due

to the depth of the building and the issue of how to provide natural light to all habitable rooms. The light-well solution is not ideal as has been noted in other reports relating to these schemes, but on balance has been accepted as the only suitable design solution to resolve the issue and ensure the flats would receive natural light. The solution is therefore also accepted here subject to a condition that the inside faces of the light-well is painted white to maximise light reflection into the rooms.

- 7.2.5 The other flat to be created (marked F3 on the plans), would have its main bedroom outlook to the front of the building with a large window, but the window for the second bedroom would be in the side (west) elevation within the underpass that gives access to the rear parking yard. As a result vehicles and possibly pedestrians would pass very close to it. This bedroom is therefore to be provided with a high level window. Whilst not ideal, it is considered the best solution to ensure privacy to the occupiers but still allowing some light in.

7.3 Visual and heritage impact

- 7.3.1 The proposal would use additional space within the building and would not have any impact visually, other than the insertion of the high level window in the underpass. The proposal would not affect setting of the adjacent Solaris Centre, a non-designated heritage asset as a locally listed building.

7.4 Highways

- 7.4.1 Please see report at Agenda Item 7.
- 7.4.2 As per applications 23/0426 and 23/0430 on this agenda this application would need to be tied to a new section 106 to secure the necessary contributions to secure the parking provision for the scheme as it will generate additional flats and therefore additional parking requirements at the site.
- 7.4.3 A condition is also proposed preventing occupancy of the proposed additional flats prior to the provision of the council's parking scheme being implemented as they will rely on the scheme.

7.5 Drainage, flood risk and environmental impact

- 7.5.1 The site is in Flood Zone 1 the lowest risk of flooding. Foul and surface water will be drained via the mains sewer as per the previous and existing building which is considered acceptable. It is not considered that the changes to the proposal will have a detrimental impact on drainage or flood risk, nor is it considered they will result in impact to biodiversity or air, water or land quality.

7.6 Planning Obligations

- 7.6.1 Under policies in the development plan there are requirements, where relevant, for new developments to make contributions to infrastructure. These include affordable housing, public open space, trees and health care provision. However, due to the small scale the proposal they are not required from the proposal.

7.7 Other Issues

- 7.7.1 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).
- 7.7.2 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.
- 7.7.3 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.

7.8 Sustainability and planning balance appraisal

- 7.8.1 Sustainability comprises economic, environmental and social components.
- 7.8.2 Economically the scheme would have limited impact but the creation of two residential units would help to support local shops and services. The scheme would accord with planning policy facilitating the regeneration of this part of the Promenade frontage as part of the larger scheme.
- 7.8.3 Environmentally, external alterations are limited to a high level window and therefore environmental quality and biodiversity would not be materially affected.
- 7.8.4 Socially, the scheme would provide good quality accommodation and would not have an unacceptable impact on amenity. No unacceptable impacts on heritage assets would result. The scheme would contribute towards the borough's housing provision albeit to a negligible extent.
- 7.8.5 In terms of planning balance, the addition of two flats to the Coastal Point scheme (including when considered together with the additional flat proposed by application ref: 23/0430) is considered acceptable. The development proposed is therefore considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 The scheme would generate Council Tax revenue for the Council but this is not a material planning consideration and so no weight should be afforded to it.
- 8.2 The Council would place itself in a degree of financial risk by providing the car parking required to serve the future needs of this development. However, this has been carefully considered by officers and it is considered that the costs of the works could be satisfactorily recouped. As such, the financial risk is considered to be reasonable and manageable.

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 sufficiently support the first of these priorities by allowing growth.

10.0 CONCLUSION and RECOMMENDATION

10.1 The development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view. As such, Members are respectfully recommended to resolve to support the proposal and delegate the application for approval by the Head of Development Management subject to the signing of a S106 agreement to secure the parking scheme necessary to make the development acceptable and the following planning 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 following plans:

Location plan recorded as received by the Council on 20th October 2023

Ground Floor Elevation plan ref: A14

Ground Floor Plan (Proposed) plan ref: A01-Rev 1A

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

3 (a) The flats hereby approved shall not be occupied until all of the internal and external alterations shown on the approved plans have been carried out in full and in full accordance with the approved details.

(b) The layout of the accommodation shall thereafter be retained as approved unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation provides an adequate standard of residential amenity in accordance with Policies CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies DM5 and DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027, and the Council’s New Homes from Old Places Supplementary Planning Document 2011.

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

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

the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

5. Prior flats F1 or F3 hereby approved (as shown on Ground Floor Plan (Proposed) plan ref: A01-Rev 1A) being first brought into use the internal secure cycle storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In order to facilitate travel 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.

6. The flats hereby approved shall not be occupied until the parking provision secured through the associated Section 106 agreement has been provided.

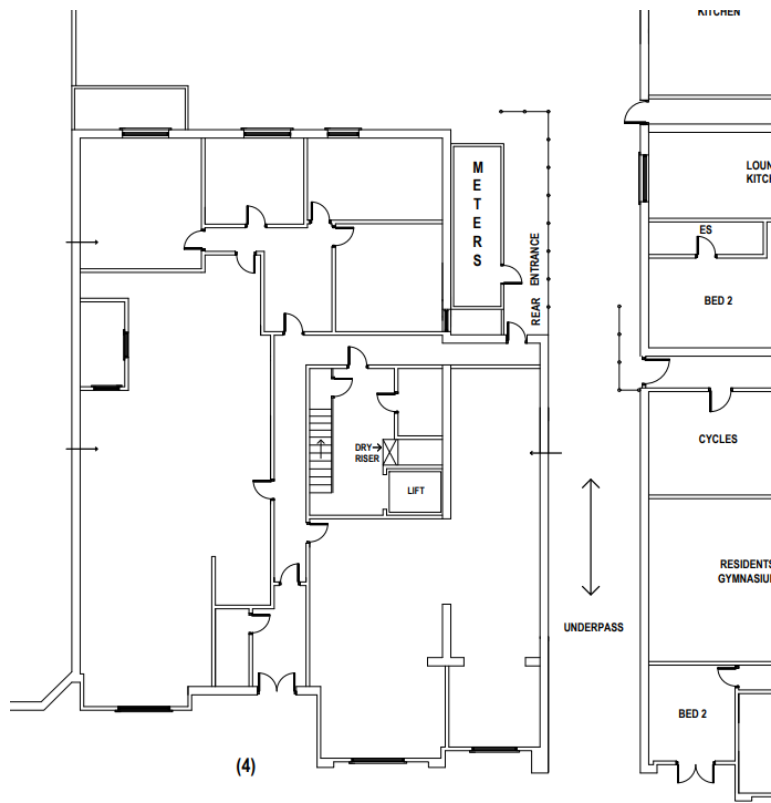
Reason: In order to ensure that adequate and accessible parking provision is available to meet the needs of the development in the interests of highway safety, and to encourage travel to and from the site by ultra-low and zero emission vehicles in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

Appendix 10a: 23/0440 Use of part of ground floor as 2 self-contained permanent flats.

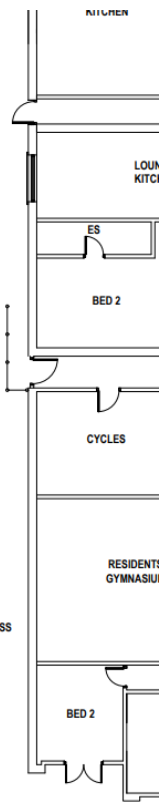
Location Plan



Plan as Existing

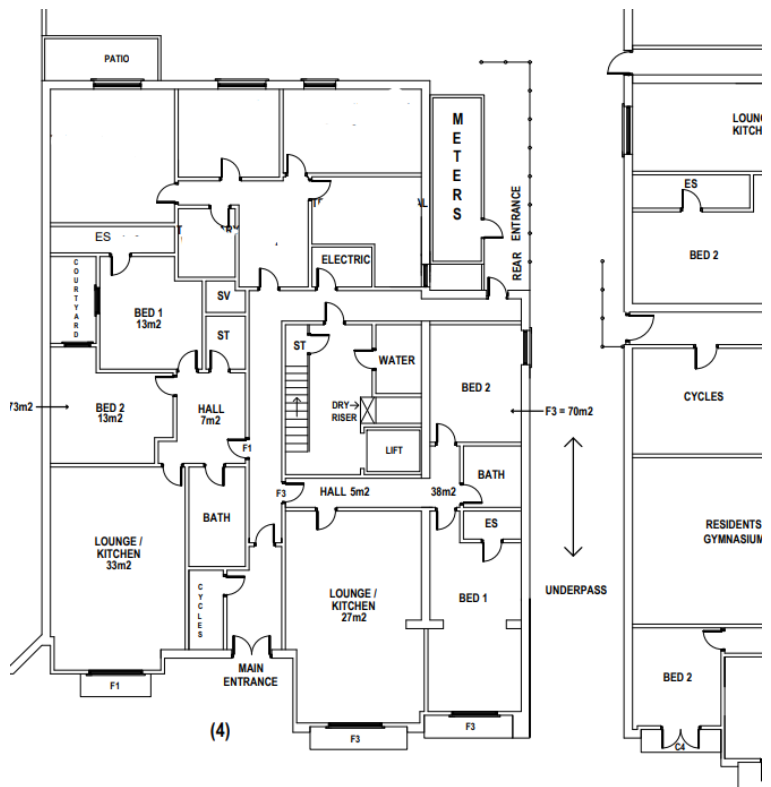


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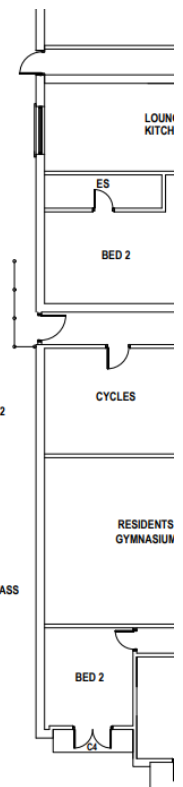


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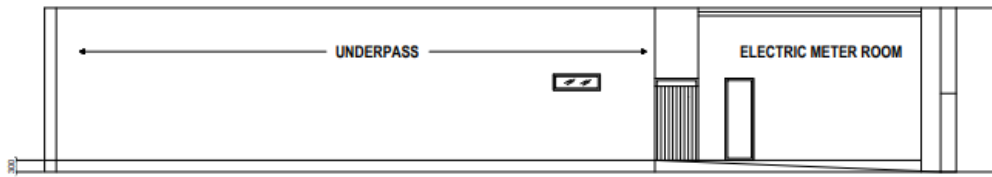
Plan as Proposed



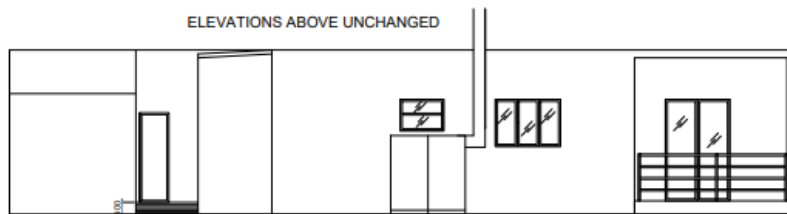
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Ground Floor Elevations



WEST
PROPOSED GROUND FLOOR WEST ELEVATION (NO. 2 AND NO. 4 HARROW PLACE)



PROPOSED GROUND FLOOR SOUTH ELEVATION (NO. 2 AND NO. 4 HARROW PLACE)

Project Title:	Coastal Point
Client:	
Architect:	
Date:	



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**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	23/0830
Ward:	Talbot
Application type:	Hybrid
Location:	
	Land bounded by Cookson Street, Milbourne Street, Grosvenor Street and George Street, Blackpool
Proposal:	
	Hybrid application comprising: Full – demolition of existing buildings and structures Outline- erection of buildings for use as an education-led mixed use development comprising a new education campus building (Use Class F1(a)) and further education floorspace (Use Class F1(a)) and/or office floorspace (Class E(g)), creation of new public realm with associated landscaping, car parking and associated works.
Recommendation:	
	Approve subject to conditions
Recommendation Summary:	
	The existing buildings proposed for demolition are not safeguarded for any particular purpose and their loss is considered to be acceptable. The development proposed in outline would deliver clear economic and social benefits by improving access to further education and the skills base in Blackpool to support economic growth and diversification. The scale of the building would inevitably have some impact on residential amenity and this weighs negatively in the planning balance. Subject to a high-quality design being secured at reserved matters stage, it is considered that the development would have a positive impact upon the quality of the streetscene. No unacceptable heritage impacts are anticipated. Equally no unacceptable impacts on highway function or safety, drainage, flood risk, ecology or environmental quality are expected.
Meeting date:	
	09/04/24
Reason for bringing to Committee:	
	Major application of strategic significance and general public interest
Case officer:	
	Miss S Parker
Case officer contact:	
	01253 476228

1.0 SITE DESCRIPTION

- 1.1 The site is roughly rectangular and comprises two blocks of two-storey, largely residential properties with some commercial uses fronting Cookson Street. Charles Street separates the two blocks and the site is bound by George Street to the north-west, Grosvenor Street to the north-east, Milbourne Street to the south-east, and Cookson Street to the south-west.

- 1.2 The area surrounding the site has mixed character. The Council offices and an area of greenspace face the site across George Street with the Sainsbury's building to the north. To the north-west is the Talbot Road multi-storey car park and wider commercial block. The site directly to the west is currently being redeveloped through the erection of a seven-storey office building with associated public realm. Smaller commercial units front Cookson Street to the south and south-west. Residential properties face the site across Milbourne Street and Grosvenor Street. Aside from the large, modern, commercial buildings, the area is characterised by two-storey, traditional properties.
- 1.3 The site falls just outside the boundary of the defined Town Centre and the Central Business District known locally and referred to throughout this report as Talbot Gateway. It is within the Talbot and Brunswick Integrated Neighbourhood Improvement (TABINI) area and within the Blackpool Airport safeguarding zone. The site forms part of the setting of the Grade I Listed Blackpool Tower building, the Town Centre Conservation Area and the former Hop public house which is locally listed. The site falls within Flood Zone 1 meaning it is at least risk of flooding, but is within Blackpool's Air Quality Management Area. No other specific designations or constraints are identified.

2.0 PROPOSAL

- 2.1 The application is a hybrid proposal seeking full planning permission for some elements of the scheme and outline planning permission for others.
- 2.2 Full planning permission is sought for the demolition of all existing buildings and structures within the area. This is proposed to enable the clearance of the site so that it is ready for redevelopment as soon as possible once the details are finalised, to ensure that relevant funding deadlines can be met. It is understood that 59 residential properties would be lost as a result of this demolition.
- 2.3 Outline planning permission is sought with all matters reserved for a two-phase, education-led development. It is noted that the floorspace figures quoted in the application form differ from those in the submitted Planning statement. The application has been assessed on the basis of the figures set out in the latter document.
- 2.4 Phase 1 would see the provision of up to 21,625sqm of educational floorspace falling within class F1(a) as defined by the Town and Country Planning (Use Classes) Order. This is envisaged to be in one, maximum part five, part three-storey, L-shaped block. It is intended that this floorspace would be occupied by Blackpool and the Fylde College (B&FC).
- 2.5 Phase 2 would see a further 12,690sqm of education floorspace (class F1(a)) provided but, in the event that this is not required by B&FC, flexibility is sought to enable this additional floorspace to be used to provide office accommodation within class E(g) of the aforementioned Order. It is envisaged that this floorspace would be provided in two blocks with that fronting Cookson Street being up to four storeys in height and that on the corner of Grosvenor Street and Milbourne Street being up to three storeys in height.
- 2.6 Whilst all matters are reserved, indicative elevation drawings and artist visualisations have been provided. These show modern buildings comprising largely glazed elevations. The buildings would have flat roofs intended to support the provision of photovoltaic panels and areas of green roof. It is indicated that the massing of the buildings would be broken up by areas of different height. The artist impressions show a high-quality development of striking design that would significantly improve the appearance of the streetscene.

2.7 In addition to the built development, the scheme proposes the pedestrianisation of George Street and the creation of new public realm and landscaping. The description of development makes reference to provision of 22 parking spaces although the position of these spaces is not confirmed.

2.8 The application has been supported by:

- Planning statement
- Design and access statement
- Environmental statement pursuant to the Environmental Impact Assessment regulations
- Daylight and sunlight report
- Bat survey
- Biodiversity impact assessment
- Flood risk assessment and drainage strategy
- Transport statement
- Travel plan
- Air quality assessment
- Noise impact assessment
- Phase 1 desktop study into potential land contamination
- Energy statement
- BREEAM pre-assessment statement
- Broadband connectivity statement

2.9 The Environmental Statement (ES) submitted focusses on Townscape Visual Impact and Heritage Impact only. This scope is agreed. The ES has been reviewed on behalf of the Council by suitably qualified and experienced consultants with specialist knowledge of the Environmental Impact Assessment Regulations and these topic areas.

3.0 RELEVANT PLANNING HISTORY

3.1 Talbot Gateway as an area has a very lengthy planning history which is summarised comprehensively in the submitted Planning statement. No particularly relevant planning history for the application site itself has been identified. Generally speaking, the development of Talbot Gateway can be broken down into three phases and summarised as follows:

3.2 Phase 1 – the re-modelling of Talbot Road multi-storey car park (11/0842), the erection of the Sainsbury's building (11/0961) and the development of the Council offices (11/0843).

3.3 Phase 2 – the redevelopment of the former Wilkinson's site to provide a six-storey building accommodating a hotel alongside retail, restaurant and bar uses and to enable the creation of a tram link into Blackpool North railway station (17/0276).

3.4 Phase 3 – erection of a seven-storey office building to be occupied by DWP on the northern part of the former East Topping Street car park (20/0751).

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 5 Delivering a Sufficient Supply of Homes
- Section 6 Building a Strong, Competitive Economy
- Section 7 Ensuring the Vitality of Town Centres
- Section 8 Promoting healthy and safe communities
- Section 9 Promoting Sustainable Transport
- Section 10 Supporting High Quality Communications
- 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:

- CS2 Housing Provision
- CS3 Economic Development and Employment
- CS4 Retail and Other Town Centre Uses
- 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
- CS15 Health and Education
- CS17 Blackpool Town Centre
- CS19 Central Business District (Talbot Gateway)
- CS22 Key Resort Gateways

4.4 Blackpool Local Plan Part 2: Site Allocations & 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
- DM26 Listed Buildings
- DM27 Conservation Areas
- 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 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.
- 4.6.3 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.
- 4.6.4 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.
- 4.6.5 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.
- 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 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.
- 4.6.8 DCLG National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council's New Homes from Old Places SPD guidance.
- 4.6.9 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area when exercising planning functions.
- 4.6.10 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.6.11 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.6.12 Blackpool Town Centre Strategy was adopted in May 2022 and sets out the vision for the town centre. In particular it identifies a 'work and learn' key objective which seeks to foster learning and provide opportunities for work.

5.0 CONSULTEE RESPONSES

5.1 Active Travel England –

- 5.1.1 14/12/23 – ATE is not in a position to support the proposal and requests further information.
- 5.1.2 The provision of only 22 parking spaces would encourage users to use sustainable transport modes to access the development. There is a lack of cycling infrastructure for cyclists, particularly those travelling from the south. It is questioned if any off-site improvements are proposed. Further assessment of Church Street and Cookson Street and any potential for improvements is recommended to encourage cycling. There are no cycle lanes or tracks along Talbot Road or Church Street and so the claim that the site is well-connected by cycleways is disputed. ATE considers the cycle network is limited, unconnected and offers the lowest level of protection for cyclists. The availability of off-site public car parking may discourage nervous cyclists from cycling. There is potential for Cookson Street and Grosvenor Street to have cycle routes that link into the Counce Street cycle lanes.
- 5.1.3 Cycle parking should meet the standards set out in the Local Transport Note or local standards, whichever are higher. Long-stay spaces should be secure and covered and 5% should be designed for non-standard cycles. The spaces should be in a convenient and

attractive location. Some short-stay spaces should also be provided on George Street.

5.2 Local Highway Authority –

- 5.2.1 The initial submission did not provide sufficient information to enable a robust assessment of the application and so an amended Transport Assessment (TA) has been requested and provided. This TA has been developed in consultation with the Council's Transport Policy and Highway officers.
- 5.2.2 The proposed development would be significant in terms of traffic and people movements. It includes the pedestrianisation of the length of George Street fronting the site. The development would only have a small amount of parking meaning that travel to the site would involve use of Council car parks, public transport, cycling and walking. The application has been supported by a Framework Travel Plan which is considered to be broadly acceptable. The TA considers various modes of travel and satisfactorily assesses the volumes involved, modal split and how the journeys would be accommodated.
- 5.2.3 The progressively increasing levels of pedestrian movement within the Talbot gateway area are recognised and it is acknowledged that there is a need to accommodate these flows safely and conveniently. This would be achieved through additional pedestrian crossing facilities. An additional bus stop and other setting down/picking up facilities are proposed.
- 5.2.4 The conclusions and proposals set out within the TA are reasonable and proportionate to the issues. Nevertheless, the increasingly large and complex pedestrian flows within the Talbot Gateway area need to be understood and addressed. The Town Centre Access Scheme (TCAS) aims to address some of the locations where pedestrian flows need to be better understood and accommodated. At present, it is not possible to predict in detail how this application would dovetail with the TCAS scheme. This would need to be resolved through a S278 Highways Act agreement alongside the TCAS scheme.
- 5.2.5 The pedestrianisation of George Street would integrate the site with the wider Talbot Gateway and the public transport network. The TA deals with the effects of diverted traffic in considerable detail and concludes that the network has sufficient capacity to accommodate the changed flows. The approach in the TA is considered to be conservative as some drivers would divert further rather than simply using the immediate area. George Street is used by bus services but, as there are no stops, it is not an essential element of any routes. No material changes to bus journey times would result from the proposed closure.
- 5.2.6 There is some concern that an emergency or other unplanned closure of Talbot Road could lead to a more complex and less desirable collection of diversions. To mitigate this risk it is suggested that the closure incorporate appropriate measures for temporary use in such circumstances. Discussions as to how this could be achieved are ongoing.
- 5.2.7 Some work still needs to be done to arrive at a package of highway works to deal with the effects of the development. For example, the TA traffic analysis does not allow for changes in flows subsequent to the re-opening of High Street or the impact on flows through the Talbot/Dickson Road signals once the extended tram lines are operations. Such analysis should be secured through condition.
- 5.2.8 It is recommended that the following conditions are imposed on any permission granted:
- Submission of revised traffic flow analysis following the re-opening of High Street and the opening of the North Station tram station

- Provision of the additional pedestrian crossing facilities identified in the TA
- Agreement and implementation of a scheme of highway works to include:
 - Pedestrianisation of George Street to include provision for temporary emergency use
 - Public realm enhancements
 - Changes to traffic signal junctions and co-ordination systems
 - Provision of additional pedestrian crossing facilities
 - Modification of existing layby for bus operation
 - Modification of existing layby to provide set-down/pick-up facility
 - Amendments to Traffic Regulation Orders
 - Amendments to street lighting
 - Amendments to utilities provisions
- Agreement of and adherence to a Demolition and Construction Management Plan

5.3 **Blackpool Transport** – no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

5.4 **United Utilities** – the submitted drainage strategy is acceptable in principle. Nevertheless it is recommended that a condition to require the agreement of drainage details be imposed. Equally, a condition requiring agreement of drainage management details should be attached to any permission granted. It is the applicant’s responsibility to determine the exact relationship between UU assets and the proposed development. A water main crosses the site and must not be built over or access compromised in any way. This may prevent implementation of the development or may require diversion at the applicant’s expense. Equally a public sewer crosses the site, it must not be built over, and an access strip must be maintained. The applicant should contact UU at the earliest opportunity to discuss these issues.

5.5 **Lead Local Flood Authority** – the submitted FRA is acceptable and they have detailed combined sewer connection which is considered to be the only realistic option. A peak flow rate of 6.5 litres per second with 767 cubic metres of storage is proposed. No objection is raised to the proposed drainage strategy.

5.6 **Natural England** – the proposed development is not anticipated to have any significant adverse impacts on statutorily protected nature conservation sites or landscapes. As such, no objection is raised. General advice is provided.

5.7 **Greater Manchester Ecology Unit (GMEU)** – the applicant has submitted a Biodiversity Impact Assessment and bat surveys. The former finds the site to have no biodiversity value as it is all hard-standing. Any landscaping provided would therefore deliver a net gain in biodiversity. The submitted bat survey finds the buildings to have negligible potential to support bats. However, no internal surveys were undertaken and the external survey was undertaken in late September. The report recommends a pre-commencement check of external features. This should be conditioned. The survey also recommends provision of bat boxes and an appropriately worded condition is suggested.

5.8 **Head of Parks and Greens** –

5.8.1 The matter of landscaping is reserved for later consideration. However, in accordance with the Council’s Tree and Green and Blue Infrastructure Strategies the landscaping should consider:

- The right tree in the right place with trees planted for longevity without becoming a nuisance
- Planting to provide wildlife links and habitat enhancement
- Trees should complement the architecture with consideration to colour (e.g. silver birch would not be easily visible against a light backdrop)
- Canopy density, shading and the propensity to shed seeds, fruit etc
- Suitability of species to avoid risk of structural damage
- Need for larger species with fuller canopies to be afforded open space; use of smaller, fastigate or more manageable species where space is an issue
- Suitability of species in relation to potential climate change
- Maximum benefits of canopy cover, health and well-being and urban cooling
- Provision of sufficient soil volume and drainage for tree growth and function
- Purpose of tree, e.g. visual, thermal comfort, shade, habitat, drainage (use of sustainable urban drainage systems integrating green infrastructure assets can improve water quality, reduce run-off and reduce the impact of climate change).
- Tree health as native species are increasingly threatened by pests and disease due to climate change
- Need for a high level of species diversity including non-native species suited to a challenging urban environment (relevant guides are available).

5.8.2 Consideration should be given to implementation of green roofs and walls where appropriate and viable, particularly as tree planting would be tightly constrained on site. Plans must detail how landscaping and green infrastructure would be implemented and maintained in the long term.

5.9 **Environmental Protection (Environmental Quality)** – agree with the recommendations of the Phase 1 report that a Phase 2 investigation is required. The phase 2 report should give particular attention to the potential for the basements to contain ash and clinker which are sources of potential contamination. With regard to air quality, the conclusions of the report are agreed and no additional receptors are required to be considered. All materials should be covered when arriving on site and, if stored on site, should be covered to prevent dust migration. Regular road sweeping would be required to further prevent dust migration.

5.10 **Environmental Protection (Amenity)** – agree with the conclusion of the noise assessment that noise could be adequately managed through a Construction Management Plan. Hours of operation to be limited to Monday – Friday 0800-1800 and Saturday 0900-1300 with no working on Sundays or Bank Holidays without prior consent.

5.11 **Commercial Waste** – no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

5.12 **Historic England** – no advice offered in this case. The views of a specialist conservation and archaeological advisor should be sought. Published advice is also available online.

5.13 **Blackpool Civic Trust** – no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

5.14 **Built Heritage Manager** – the site is not in a Conservation Area and does not include any designated or undesignated heritage assets. The existing buildings are of a common type that have been much altered and so there is little heritage value in the site. Although there

would be some minor visual impact on heritage assets such as Blackpool Tower and St. John's Church, overall the scheme would have a neutral impact and no objection is raised.

- 5.15 **Blackpool Airport** – a condition should be attached to any permission granted to require the developer to notify the airport at least 14 days in advance if any equipment that would exceed the maximum height of the finished development would be used during construction. Details of the required notification and relevant operation standards are provided.
- 5.16 **NATS safeguarding** – no objection is raised. If any changes are proposed, NATS should be re-consulted.
- 5.17 **Lancashire Constabulary Police Architectural Liaison Officer** – the development should be constructed to the Secure By Design 'Commercial Developments 2023' and 'New Schools 2014' Design Guides. Provision of a secure boundary is recommended. Defensible spaces should be created around buildings to prevent attack by vehicle strike or parked vehicles giving access to upper floor windows or roofs. Vehicular and pedestrian access points should be controlled. Landscaping should be maintained below 1m in height with tree canopies maintained above 2m so as to ensure clear natural surveillance. Parking provision should meet relevant standards. Buildings should be designed to avoid features that could act as climbing aids. Appropriate external lighting and 'rule-setting' signage should be provided. Consideration should be given to arrangements for mail delivery and utility metre positioning to ensure they do not compromise security. Waste bins should be inaccessible to unauthorised persons. Appropriate doors, windows, alarms and CCTV should be provided. Appropriate consideration should be given to property marking, key and cash security, access controls and the supervision of reception and servicing areas. Suitable security should be maintained during construction. Full details have been set out in the Crime Impact Statement provided by the Police.
- 5.18 **Community Safety Manager** – no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.
- 5.19 **Head of Estates and Asset Management** – no objection raised.

6.0 REPRESENTATIONS

- 6.1 Press notice published: 30/11/23, and re-published: 06/03/24
- 6.2 Site notice posted: 30/11/23, and re-posted: 06/03/24
- 6.3 Neighbours notified: 23/11/23, and re-notified: 06/03/24
- 6.4 Since first submission it has been necessary to change the description of development in order to improve clarity. The proposed building footprint parameters have also had to change slightly to take account of existing utilities infrastructure. This last change has triggered an amendment to the Environmental Statement and this has required re-publication of the application under Regulation 25 of the relevant EIA regulations. This opportunity has equally been taken to re-consult on the revised description of development. Given that only one representation has been received in relation to the application since first publication in November, it has been considered reasonable and proportionate that only new press and site notices as required by the legislation have been published. A letter

advising of the amendment has also been sent direct to the party that has submitted the representation but the original letter issue has not been repeated.

6.5 Two representations have been received from 43 Milbourne Street raising the following issues:

- Heritage impact on nearby Conservation Areas
- No details of building appearance have been provided
- Unclear why the scheme is proposed as B&FC already have existing sites with capacity for expansion
- The submitted information makes reference to the neglected state of the area but the Council has done nothing to remedy this
- Some of the photographs provided are not of the relevant site area
- The scheme would result in the loss of residential properties and local amenities
- Loss of privacy
- Overshadowing
- Loss of on-street car parking
- Unclear where the new parking would be provided
- Increased pressure on existing parking provision which is not appropriate
- Inadequate parking provision
- Increase in congestion
- Impact on highway safety
- Insufficient highway details provided at this stage
- Impact on wildlife
- Would not result in new jobs, merely relocated jobs from elsewhere
- Application details have been with-held from the public
- The Council has been the cause of decline in the area through the refusal of planning applications
- There has been pre-meditated obstruction of property maintenance to facilitate forced purchase
- There has been pre-meditated alterations to bus routes and timetables to facilitate development

6.6 The Committee are respectfully reminded that the applicant has chosen to reserve all matters for later consideration. Whilst the Council can require that certain matters be considered at outline stage, it can only do so where it is considered absolutely essential in order to enable the proper consideration of the application. This is not considered to be the case in this instance. The information submitted is considered to be appropriate to the permission sought and assessment of detailed matters at a later date would not result in undue prejudice to any party. The inclusion of photographs from outside the application site are is not considered to compromise proper assessment and determination of the application. All application details upon which the assessment has been made are in the public domain. The last three points are entirely refuted. All planning applications are determined on their own merits. There have been some changes to bus service routes and frequencies that affect the nearby area, but these have been initiated by Blackpool Transport Services as part of their new Reimagined Network review starting 7th January 2024. The changes have not been driven by this application.

7.0 ASSESSMENT

7.1 Principle

Overview

- 7.1.1 The site lies within the defined Inner Area and within the Talbot and Brunswick Integrated Neighbourhood Improvement (TABINI) area. In particular it falls within TABINI Area 3 where new officer uses and community uses to serve the needs of local residents will be permitted. The site directly abuts the boundary of the Town Centre and the Central Business District, known locally and referred to throughout this report as Talbot Gateway.
- 7.1.2 Although not a material planning consideration, Members may be interested to note that the scheme would benefit from significant public sector investment from the Department for Housing, Levelling Up and Communities (DHLUC) including an allocation of £9m Town Deal Funding for the acquisition of land and a further £40m from the Levelling Up Fund towards construction costs. The remaining costs are to be covered by Blackpool and the Fylde College who are the intended operator. The intention is to deliver a world-class university experience with total project costs predicted at £65m.
- 7.1.3 The proposed campus would be known as the University Centre Blackpool (UCB) and could support over 3,600 learners through the provision of more than 70 individual courses. The scheme would expand the College's current higher education offer and potential student cohort. The College would collaborate with Lancaster University to grow high-level skills with a focus on automation, mobility, artificial intelligence, data, population aging and sustainability. Whilst this provision may not serve specific local needs generated by the TABINI community, it would serve the general higher education needs of Blackpool and the wider Fylde Coast.
- 7.1.4 In terms of planning policy background, the vision as set out in the Core Strategy is for Blackpool by 2027 to be *"the principal centre for business, culture and education on the Fylde Coast"*. It is envisaged that Blackpool Town Centre will provide an *"important sub-regional retail, cultural and business centre for Fylde Coast residents"*. Economically, the ambition is that Blackpool will have a *"diverse and prosperous economy with a thriving culture of enterprise and entrepreneurship. It will retain a strong educational offer supporting a skilled and educated workforce encouraging aspiration and ambition"*.
- 7.1.5 The main Core Strategy vision is supported by four goals and twenty-one objectives. The fourth goal relates to development in South Blackpool but the first three goals are:
- 1 - Sustainable regeneration, diversification and growth
 - 2 - Strengthen community wellbeing to create sustainable communities and reduce inequalities in Blackpool's most deprived areas
 - 3 - Regeneration of the town centre, resort core and inner areas to address economic, social and physical decline
- 7.1.6 Policy CS1 specifically relates to the strategic location of development. It states that Blackpool's future growth, development and investment will be focused on Inner Area regeneration, including a focus on the Town Centre and the Central Business District (Talbot Gateway). Similarly, the Town Centre Strategy seeks to foster learning and provide opportunities for work.

Demolition

- 7.1.7 There are no planning policies that would preclude the demolition of the existing buildings within the application site in principle. As the site lies outside of the Town Centre, the

commercial uses are not safeguarded. The proposed demolition would result in the loss of 59 residential units. However, as the Council can comfortably demonstrate a five year housing land supply at present, this does not weigh notably in the planning balance in quantitative terms. Qualitatively, some 67% of the housing stock in the area immediately surrounding the site is made up of flats, and around 41% of units offer only a single bedroom. This compares with national averages of 22% and 12% respectively and indicates that, generally speaking, the housing stock in the area is not of particularly high quality.

- 7.1.8 In any event, any negative impacts of demolition must be balanced against the benefits that would result. In this case the demolition would facilitate the comprehensive redevelopment of the site to deliver a new higher education facility to serve the Fylde Coast in a highly accessible location on the edge of the Town Centre and the Central Business District. The social and economic benefits this would bring to the town are considered to significantly outweigh the loss of residential accommodation. As such, the demolition proposed is considered to be acceptable in principle.

Education uses

- 7.1.9 The creation of a new higher education facility directly adjacent to the Town Centre and Central Business District boundary, within easy distance of Blackpool North train station and the hub of the public transport network, would clearly support the overall vision and the first three goals set out within the Core Strategy. An educational use does not classify as a Main Town Centre use and so there is no requirement for application of a sequential test.
- 7.1.10 Policy CS15 of the Core Strategy is relevant and states that development will be supported that enables the provision of high quality new and improved education facilities, including the expansion, modernisation and enhancement of Blackpool's higher and further education facilities. Policy CS3 likewise provides support by identifying a focus on the development and delivery of an effective skills agenda to improve aspiration and opportunity. Supporting text paragraph 5.46 identifies the key role that local higher education providers will need to play in equipping local people to access job opportunities and thereby improve employment and economic activity rates.
- 7.1.11 When considering the acceptability of a use in principle, there is no requirement for a specific and permissive site allocation to be in place. In this case, the provision of an educational facility in this location would not conflict with any particular policy requirements, it would support the objectives of Policies CS3 and CS15, and it would clearly accord with the overall thrust and ambitions of the Local Plan as a whole. The NPPF similarly acknowledges the importance of delivery of public service infrastructure such as further education colleges and expects the planning system to plan positively for such requirements and work proactively to widen educational choice. As such, the provision of an educational facility in this location is considered to be acceptable in principle and, moreover, is welcomed as development appropriate to the Council's wider planning strategy.

Office uses

- 7.1.12 The NPPF identifies office accommodation as a Main Town Centre use and, as such, strictly speaking any office provision on this edge-of-centre site must be subject to the sequential test. However, the applicant has asserted that the site should in fact be treated as a de-facto 'in centre' location given that it adjoins the existing Town Centre boundary on two sides and would form a seamless extension to the designated Central Business District. There is a rationality to this argument.

- 7.1.13 If the sequential test were to be applied, it is considered reasonable to restrict the area of search to Blackpool Town Centre as the office development proposed would be significant in scale and because this location would best meet the regeneration objectives of the Local Plan (as set out under Policies CS1, CS3 and CS17). Neither the applicant nor Council officers are aware of any existing site within the defined Town Centre boundary that could accommodate an office development of this size which is also suitable and available for that use. On this basis, it is considered that the sequential test is effectively passed.
- 7.1.14 Policy CS19 of the Core Strategy relates to the Central Business District, or Talbot Gateway, area. It promotes the site for comprehensive redevelopment of mixed use to create an important northern hub for the town centre. Office development is identified as a use that will be supported.
- 7.1.15 In light of the above, the provision of office accommodation as part of the development if there is no requirement for the floorspace to be used for education is considered to be acceptable in principle.
- 7.1.16 Notwithstanding the above, some consideration needs to be given to the severability of the permission and the potential phasing consequences that could result. As written, the description of development would allow for the development of office floorspace that would be entirely independent and separate from the provision of an educational facility. However, in practice and following demolition, if the 'Multiversity' does not happen this would allow office development at the southern end of the site where it would be most disconnected from Talbot Gateway, and where it would leave a gaping hole of undeveloped land in a prime location. To avoid this eventuality, it is proposed that a condition be imposed on any permission granted to prevent any development of phase 2 until such a time as a substantive start were made to deliver phase 1.

7.2 Planning obligations

- 7.2.1 The proposal would not be liable for any planning obligations relating to affordable housing provision, contributions to local health or education provision, or provision of public open space. It would, however, be liable for the provision of trees as set out by the Council's Greening Blackpool SPD.
- 7.2.2 This SPD requires new non-residential schemes of this nature to provide one tree for every 100sqm floorspace. The proposal is for up to 34,315sqm of new floorspace and this would generate a requirement for up to 343 new trees. An off-site contribution of £1,000 would be required for every tree that could not be accommodated on site, although the Greening Blackpool SPD does allow for flexibility to be shown with regard to tree requirements where other innovative greening measures are proposed. However, there are two complicating factors. The first is that this is an outline scheme meaning that final overall floorspace is unknown. Nevertheless, it is self-evident that the physical constraints of the site would significantly limit tree provision on-site. The second is that, as the current application for new floorspace is in outline, finalised details of potential greening measures are not available.
- 7.2.3 The greening measures proposed as part of the scheme will be discussed below. It is important that a proportionate and reasonable approach is taken. The applicant has stressed that this project is only deliverable through public funding, and that this funding makes no provision for any tree contributions. As a result it is asserted that any requirement

for a monetary contribution in respect of tree provision would render the scheme financially unviable. Viability is a material planning consideration as set out in the NPPF. If it is concluded that the greening measures proposed would be insufficient to meet the relevant planning obligations, this would weigh against the proposal and would need to be balanced against the merits of the scheme in the overall assessment.

7.3 Amenity impact

- 7.3.1 At up to 5 storeys plus parapet, or up to 29m, the buildings proposed would be substantial in scale. A heights parameters plan has been submitted as part of the application. This shows that plot 1, that envisaged for the initial education facility, would be part three, part five storeys in height. The taller element would be situated in the north-western corner of the site where it would face the Council offices and Sainsburys building at some distance to the north, and the former Hop now dentists' surgery and a car park to the west. Whilst it would sit to the south and east of these premises, the commercial nature of their use would prevent any unacceptable amenity impact.
- 7.3.2 The three-storey element of the phase 1 development would sit directly to the south-west and west of no. 47 Grosvenor Street. This property is the termination of the terrace fronting George Street, but its primary elevation faces Grosvenor Street. The property has no rear elevation and the main windows to its habitable rooms face towards the site, with only secondary windows facing to the side. The proposed building would rise 9.7m above the existing structure on site up to a maximum height of 16.6m, and would sit 1m closer at a distance of 17.7m. In order to protect resident amenity, the Council usually expects to see separation distances of 21m between properties, rising up to 30m when considering a three storey development. The existing arrangement is a little tight but is very typical of the dense inner urban area of Blackpool. It is highly likely that the development proposed would have a notable impact on levels of sunlight and daylight to the property, particularly later in the day, and could have an over-bearing impact. This weighs against the proposal.
- 7.3.3 The development would also sit to the south-west and west of no. 30 Charles Street. According to Council tax records, this property is in use as a single dwelling. Whilst it is dual-aspect with some main habitable room windows facing Charles Street, which would lessen the impact somewhat, this property also has main habitable room windows facing the site. Again, the development would have an impact on levels of sunlight and daylight later in the day, and could appear over-bearing. Again this weighs against the proposal.
- 7.3.4 Given the proposed use of the building and the existing views of the frontage from the street, no unacceptable impacts on privacy within the properties referenced above are anticipated, but privacy levels within garden areas would be affected. Again this weighs against the application.
- 7.3.5 Moving further south along Grosvenor Street, Phase 2 would sit to the west/south-west of the front elevations of seven residential properties at a distance of around 16.9m. The three-storey element of phase 2 is proposed to reach up to 18.8m in height. This reflects the slight slope of the road from north to south and would enable the provision of level floors internally. This relationship in terms of height and separation falls significantly short of the Council's expected standard and would likely have an impact in terms of loss of sunlight and daylight, and an over-bearing presence. As above, this weighs against the application.
- 7.3.5 The development would sit almost due west relative to the flat block on the corner of Milbourne Street and Grosvenor Street. Any impact on light level to this property would be

limited to the end of the day and the oblique angle would significantly lessen any over-bearing impact.

- 7.3.6 The scheme would sit to the north-west of the properties on the southern side of Milbourne Street. This again means that any loss of daylight or sunlight would be limited to the end of the day. However, the phase 2 development would step up to four storeys or 23.5m in height at the western end of the street with a separation distance of 13.5m. This has clear potential to have an over-bearing impact which weighs against the application. Given the proposed use of the building and the existing views available from the street, no unacceptable impacts on privacy would be expected.
- 7.3.7 Moving round onto Cookson Street, the development would sit to the north-east and so any impact in terms of loss of daylight or sunlight would be limited to the very start of the day. The existing buildings would be separated from the new development by around 18m so, whilst there would likely be some over-bearing impact, it would be more limited.
- 7.3.8 Overall, it is clear that the scale of development proposed would have an impact on the amenities of nearby residents surrounding the site by virtue of over-shadowing, an over-bearing impact and some loss of privacy in non-frontage garden areas. However, this would likely be the case from any major redevelopment of scale on this site. Furthermore, it must be acknowledged that the plans submitted are generalised parameters plans that set out the maximum potential extents of the building. It is anticipated that smaller footprints and lesser heights could ultimately result. The applicant has been asked if there is any scope to reduce the maximum heights of the buildings and any response will be reported through the update note. Nevertheless, the detrimental impact on residential amenity must be weighed in the overall planning balance against the benefits of the scheme.
- 7.3.9 In terms of potential amenity impact from activity, it is acknowledged that this is a busy town centre location. The surrounding roads carry a high volume of traffic and there are numerous commercial uses, including some late-night operations. Whilst the development would clearly generate increased activity and 'comings and goings', there is no reason to suppose that education and office uses would have an unacceptable impact by virtue of noise generation. Technical details of external plant and any necessary noise mitigation could be agreed through condition prior to installation to avoid any nuisance from such sources. Similarly, measures to avoid impact from odour could similarly be secured through condition prior to first use of any associated canteen or café facilities.
- 7.3.10 There is also clear potential for the demolition of the existing buildings on site to have an impact on amenity through noise and dust. It is considered that agreement of an appropriate Demolition and Construction Management Plan through condition would be sufficient to adequately mitigate any potential impact.

7.4 Visual and heritage impact

- 7.4.1 The site is in a visually sensitive location, although the application site does not form part of a protected landscape or townscape. The sensitivity arises in part from the proximity of heritage assets as the site falls within the setting of the Town Centre Conservation Area and the Grade I Listed Blackpool Tower. It is also in a prominent location on the edge of the defined Town Centre, surrounded by residential and commercial premises, and on a busy local distributor road.

- 7.4.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to afford great weight to the desirability of preserving the character, fabric and settings of designated heritage assets. Paragraph 207 of the NPPF states that, where a proposal would lead to substantial harm or total loss of a designated heritage asset, planning permission should be refused unless substantial public benefits would result and very specific exceptions apply. Paragraph 208 states that, where a development would lead to a less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.
- 7.4.3 Paragraph 128 of the NPPF confirms that decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change and the importance of securing well-designed and beautiful, attractive and healthy places.
- 7.4.4 The NPPF at paragraph 131 states that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, with good design being a key aspect of sustainable development. Paragraph 135 explains that developments should function well and add to the overall quality of an area, be visually attractive and sympathetic to local character and history while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.4.5 Paragraph 139 states that significant weight should be given to outstanding or innovative design which promotes high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of the their surroundings.
- 7.4.6 Policies CS7 and DM17 relate to design and require new development to be well designed and to enhance the character and appearance of the local area, being appropriate in terms of scale, mass, height and the relationship with adjoining buildings. CS7 also supports contemporary and innovative expressions of design, where appropriate. Policy DM17 expects the scale and massing of new buildings to be appropriate for their use and location and be related to the scale, massing and height of neighbouring buildings and should have regard to the pattern, size and arrangement of streets, buildings and building lines and confirms that particular attention should be paid to the design of new buildings that would be highly visible due to the prominence of the location or the scale of the development. Policy DM19 relates to strategic views and seeks to protect and enhance views of Blackpool Tower along main transport corridors into the town centre.
- 7.4.7 By virtue of the scale of the proposal and the visual sensitivity of the site, the applicant has elected to submit an Environmental Statement. This focuses on the visual and heritage impacts of the proposal. It is supported by a Townscape Visual Impact Assessment, a series of verified views and a Heritage Statement. This information has been considered on behalf of the Council by ARUP, a firm of suitably qualified and experienced consultants who specialise in these areas.
- 7.4.8 The assessments undertaken by the applicant are based on viewpoint locations that were agreed with officers prior to submission. The viewpoints reflect local knowledge and are considered to represent those most important in terms of their significance (i.e. key arrival points, gateways and well-travelled routes), and their relevance in relation to the key local heritage assets of the Tower, the Hop and the Town Centre Conservation Area including the listed buildings therein.

- 7.4.9 The submitted TVIA has been carried out to appropriate standards and in accordance with accepted methodologies. It identifies the key character areas in relation to the site, their value, their susceptibility to change and their sensitivity. With regard to each of the viewpoints, the TVIA also identifies their value for receptors, the susceptibility to change of the visual receptors, and their sensitivity. For each area, the TVIA assesses the extent, magnitude and significance of the visual effect. As part of their TVIA, the applicant has produced a number of visuals to illustrate the impact of the scheme from the agreed vantage points.
- 7.4.10 As stated, the ES including the TVIA has been reviewed by ARUP who, in accordance with their usual practice, has produced a spreadsheet summarising observations and raising a number of questions and requests for clarification. The applicant is currently working through these points and anticipates being able to address all issues raised. However, this response will not be available in advance of the report deadline for the target Committee meeting. Instead, it is intended that this matter will be reported through the update note. If the discussions relating to the ES are not resolved before the Committee meeting, it would be open to Members to make any resolution in favour of the scheme dependent upon all ES issues being fully satisfied.
- 7.4.10 With regard to potential built heritage impact, ARUP has suggested a condition to advise that the design of the building would have to be sensitive to the location. However, it is considered that an advice note would adequately communicate this requirement. ARUP also advises that the effects reported in the submitted TVIA could be exceeded if a poor quality design were proposed at reserved matters stage. However, as such a design would not be acceptable to the Council, no further action is considered necessary at this stage.
- 7.4.11 The ES summarises the anticipated impacts during both the construction and operational phases within table 8.1. During construction, it is considered that the potential and residual effects on townscape and visual considerations would be 'not significant'. On built heritage the potential effects would be minor-moderate adverse but the residual effects following agreement of a Construction Environmental Management Plan would be minor beneficial. During the operational phase of development, the potential and residual effects on townscape would again be 'not significant'. Some significant visual effects would result to the public realm outside the Council offices and on Cookson Street, but they are considered to be positive. In terms of built heritage, the potential and residual operational effects would vary between minor adverse and minor beneficial. These findings are accepted.
- 7.4.12 The application has otherwise been considered by Historic England and the Council's Built Heritage Manager. Neither consultee raises any objection. The Blackpool Civic Trust has been consulted but has not provided any comments. Overall, whilst some minor visual impact on existing designated assets would result, it is considered that this would be largely neutral in nature.
- 7.4.13 It is recognised that the character of the area has changed over time as part of the evolution of the town and resort. The application site is located towards the edge of the town centre in a transitional zone between the commercial core and the residential areas beyond. The key considerations are considered to be the visual impact for local residents and businesses; the visual impact for visitors travelling into Blackpool; and the impact on the setting of Blackpool Tower, the Hop and the Town Centre Conservation Area and the listed buildings therein.

- 7.4.14 In terms of general visual impact, it is inevitable that a development of the scale proposed would have a significant visual impact upon its surroundings. Although the outline application is made with all matters reserved, the building proposed would be up to 5 storeys tall plus parapet, or 29m in height. The contrast with the traditional two-storey properties in the wider area would inevitably be clear. However, this juxtaposition, as with the contrast between modern and traditional architecture, is a recognisable feature of town and city centres and is important to establish identity and legibility between different zones. The masterplan for the Talbot Gateway area is the creation of a commercial, business and civic hub. Already the Sainsbury's, Bickerstaff House (5 storeys), Talbot multi-storey car park (6 storeys) buildings, the DWP building currently under construction (7 storeys), and the Holiday Inn building (6 storeys) establish a scale that reads differently to the wider surroundings.
- 7.4.15 From many viewpoints, including those on Talbot Road, Church Street and within the Conservation Area, the building would have a presence as part of the townscape backdrop. This presence on the skyline may be significant in places but it is not considered that it would have an unacceptably over-bearing visual impact given the context. No conflict with Policy DM19 is identified. When viewed from the east along George Street and Charles Street, the development would block views of Blackpool Tower. From Milbourne Street the development would crowd views of the Tower. This visual impact and loss of view would be significant, but it should be noted that any major-scale development of the type sought in a location like this would block views of the Tower to some extent. George Street is a local distributor route and Charles Street and Milbourne Street are secondary roads. As such they make little contribution to the visitor arrival experience and do not offer protected strategic views. Although residents and businesses may enjoy the existing views of the Tower, for locals it is a familiar presence in the townscape which can be glimpsed from multiple locations. As such, whilst the loss of a view of the Tower is a detrimental impact, assuming this impact could be mitigated to a significant extent through high-quality design, its weight against the application is limited.
- 7.4.16 Although the exact position, scale and appearance of the buildings are not matters for this application, it is clear that the development could be viewed as a landmark building. The public realm proposed to the north would join with that to the east of the approved DWP building and provide a pleasant outdoor setting, enabling movement and connectivity and allowing for the introduction of green infrastructure into an otherwise very urban area. As the buildings would be highly visible from all angles, a high-quality detailed design treatment would be required to all elevations. It is considered that this could be adequately secured at reserved matters stage. Suitable materials that suit the design of the building whilst also referencing the local materials palette could equally be agreed at detailed design stage.
- 7.4.17 Overall, and subject to agreement of a detailed design, it is considered that the proposal would have a positive visual impact upon the townscape. This weighs notably in favour of the scheme. The impact on views of the Tower weigh against the application. It is acknowledged that some detrimental visual impacts would inevitably arise during construction, but these would be short-term and so are considered to carry relatively little weight in the planning balance.

7.5 Access, highway safety and parking (including active travel provision)

- 7.5.1 Subject to the agreement of an appropriate Demolition and Construction Management Plan through condition, no unacceptable impacts on highway safety or function are anticipated from either the demolition or construction phases.

- 7.5.2 The operational phase would see the closure of part of George Street and the provision of up to either 34,315sqm of class F1a education floorspace, or 21,625sqm of class F1a education floorspace and 12,690sqm of class E(g) office floorspace.
- 7.5.3 The Council's expectations in terms of parking provision are set out under appendix G1 of Local Plan Part 2. For class F1a education floorspace, the standards expect provision of one space per two full-time members of staff. For Class E office floorspace, parking at a rate of 1 space for every 30sqm floorspace would be required.
- 7.5.4 The application form submitted with the application states that the development would not increase the number of employees on the site. This is clearly incorrect. The College produces an annual Report and Financial Statement and these are available to view online. These suggest that the College employs in the region of 1,000 staff, although it does not state what proportion are part-time or what a full-time equivalent figure may be. Equally, no information has been provided as to the number of staff who would likely be based at the Multiversity centre. Based on the floorspace proposed, the office element of the scheme, if delivered, would generate a requirement for up to 423 parking spaces.
- 7.5.5 The scheme proposes provision of 22 spaces, although no details as to the location of these spaces is available as part of the outline application. Regardless of the demand for parking generated by the development, it is clear that the level of parking proposed would fall significantly short of the standards expected in the Local Plan. However, the site is in a highly accessible location. One of the drivers behind the creation of a higher education campus and provision of office space on the edge of the town centre is to make the facility more easily accessible by public transport modes, and to encourage greater interaction and linked trips with the town centre.
- 7.5.6 The site would be within 300m of Blackpool North train station and the new tramway extension terminus that will provide a link along the entire seafront into the Talbot Gateway area. There are numerous bus stops within a reasonable, 400m, walk of the site and these are served by over 20 different bus routes. A pick-up/drop-off facility would be created to serve the development for private hire vehicles. Appropriate cycle storage and associated facilities are proposed and could be secured through condition. The pedestrianisation of George Street and the provision of new pedestrian crossing facilities would encourage pedestrian movement and access. It must also be recognised that public car parking is available within easy walking distance within the town centre.
- 7.5.7 On this basis, the lack of any substantive parking within the development is considered to be acceptable.
- 7.5.8 In terms of impact on the highway network and highway safety, particularly from the proposed closure of George Street, the scheme has been considered in detail by the Council's highways team.
- 7.5.9 The response provided from highways colleagues neither promotes nor objects to the partial closure of George Street. Instead it explains the additional information that would be required to enable a full assessment of potential impact, and to design a comprehensive scheme of highway improvement works to mitigate for the closure and the general impact of the development. Chiefly, further information would be needed now that High Street has reopened and once the tramway extension is operational, to understand the impact of these two elements on existing traffic flows.

- 7.5.10 Overall, it is considered that the existing network would be able to support the proposal subject to a scheme of highway works being agreed and implemented. However, there are some concerns over the potential for the network to cope if the section of Talbot Road between Cookson Street and Buchanan Street had to close for any reason. It has been suggested that consideration be given to ensuring that the space to the north of the Multiversity building be designed such that it would be able to support traffic flow in the event of an emergency. This would essentially allow the section of George Street proposed for closure to be reopened if need be.
- 7.5.11 This suggestion requires further consideration once the additional information referenced in paragraph 7.5.9 is available. It may not be possible to design the space in such a way as to enable a flow of traffic that would satisfactorily relieve a temporary pressure on the network. It may be that any such design would compromise the appearance and layout of the space to such an extent that it would no longer function as a public plaza with its associated benefits on streetscene appearance, biodiversity, green infrastructure and public amenity. A careful balancing exercise would have to be carried out weighing up the potential likelihood and duration of an event that would require closure of Talbot Road, the network issues this might present, and the permanent impact the arrangement would have on the proposed scheme. A condition has been recommended that gives scope for these assessments to be undertaken and, if Members are minded to support the proposal, it is respectfully requested that this matter be delegated for determination by officers in the fullness of time.
- 7.5.12 Notwithstanding the above, it is considered that appropriate measures could be put in place to ensure that no unacceptable impacts on highway safety would result. If planning permission is granted, it will be important to dovetail development of this scheme with that of the Town Centre Access Strategy.
- 7.5.13 The comments of Active Travel England (ATE) are noted. ATE is a statutory consultee and any application proposed for approval in the face of an ATE objection would need to be referred to the Secretary of State (SoS) for a call-in determination. Following the submission of the updated Transport Assessment and Travel Plan, ATE has been reconsulted on the application. Any comments received in advance of the Committee meeting will be reported through the update note. It is recommended that no planning permission be granted until either ATE has confirmed they have no objection to the scheme or the SoS has confirmed that he does not wish to call the application in for his own consideration.

7.6 Drainage and flood risk

- 7.6.1 The site falls within flood zone 1. As it exceeds 1ha in area, a site-specific flood risk assessment (FRA) is required and has been submitted. There is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests.
- 7.6.2 The FRA has been considered by the Council as Lead Local Flood Authority and has been found to be acceptable. It is proposed that surface water would drain into the combined sewer which is considered to be the only realistic option. It is noted that a significant amount of on-site surface-water storage is proposed, and that discharge would be restricted to a peak flow rate of 6.5 litres per second. This is considered to be acceptable by both the Council and United Utilities, although full details would need to be secured through condition. Details of appropriate drainage management would also need to be secured through condition.

7.6.3 United Utilities has advised that both a water main and public sewer cross the site and that they would not permit building over either asset type. The potential impact of a development on a UU asset is not generally held to justify the refusal of planning permission. If an applicant cannot design their scheme to avoid impact on a UU asset, it can be possible for them to divert the asset at their own expense. If this is not possible then it may be the case that any permission granted simply cannot be implemented, or is not financially viable to implement. In this case, however, it is understood that the water main and sewer assets serve the existing properties that are proposed for demolition as part of the full element of this application. It is assumed that, following demolition, these assets will become redundant and UU will have no objection to their being built over. In any event, this is considered to be a matter for private resolution between UU and the applicant.

7.6.4 In light of the above, no unacceptable flood risk or drainage issues are identified.

7.7 Ecology and green infrastructure

7.7.1 Policy CS6 of the Core Strategy expects new developments to create new accessible green infrastructure and support urban greening within the built environment. All new development should incorporate green infrastructure. The policy makes it clear that financial contributions will be sought where on-site provision is not possible.

7.7.2 Policies DM21 and DM35 of Part 2 relate to landscaping and biodiversity respectively. Policy DM21 again expects new development to contribute towards green and blue infrastructure. Landscaped buffers are encouraged with use of green walls or roofs where this cannot be achieved. Tree planting is required where appropriate but, where this cannot be achieved on-site, financial contributions towards off-site provision will be required. Policy DM35 requires that development proposals not harm biodiversity and expects application of the protection hierarchy of avoidance, mitigation and compensation.

7.7.3 The Greening Blackpool SPD was published in May 2022 and details the level of provision required in new developments. As set out above, non-residential development is expected to provide a tree for every 100sqm of floorspace. Where on-site provision cannot be achieved, a contribution of £1,000 per tree is payable unless other innovative greening measures are proposed. The SPD expects all developments to deliver a degree of biodiversity net gain.

7.7.4 The national requirements for 10% biodiversity net gain came into force in 2024 but do not apply retrospectively. As this application was submitted in 2023, the national requirement cannot be applied and no metric has been provided as a result but a biodiversity impact assessment has been submitted. It is accepted that the site currently offers no biodiversity value as it is entirely hard-surfaced.

7.7.5 As this is an outline application, details of greening measures are limited. However, with the proposed pedestrianisation of George Street to the north of the site, it is intended that an area of public plaza would be created. The indicative masterplan submitted suggests that this would include areas of landscaping and tree planting. This also shows provision of some tree planting within the development in central courtyard areas. It is thought that up to 70 trees could reasonably be accommodated on site and in the immediate area. This may perhaps be over-ambitious but it seems likely that 40-50 could be achieved. Whilst this would fall significantly short of the requirement for up to 343 trees, it must be recognised that tree planting within a town centre is inherently more challenging and more expensive

than on greenfield land, and that any trees provided would have a far more significant greening impact against the prevailing urban backdrop.

- 7.7.6 In addition to the tree planting that could be achieved on-site, a fairly extensive area of green roof is proposed. Photovoltaic (PV) panels are proposed on the flat roof of the building to generate renewable solar energy, and the green roofing would provide ballast to the PV panels. Use of a robust seed mix which has been tested to survive in low-light, high-water environments could be used and this could work well in this context. Roof-top planting has the potential to create undisturbed areas of habitat that can attract and serve pollinators.
- 7.7.7 On balance, it is considered that there is potential for the development to provide a combination of sufficient tree planting and innovative greening measures within the site to meet the requirements of relevant policy and the SPD. However, as this is an outline application with all matters reserved, aside from the demolition element, it is considered that a condition requiring full details to be agreed is necessary. As part of any discharge of condition application, if it transpires that insufficient greening measures are proposed on-site, it would be possible for officers to either take account of financial viability information or require the developer to enter into a S106 legal agreement to secure a financial contribution.
- 7.7.8 With regard to protected species, the proposal includes the demolition of all existing buildings on site and these have the potential to support roosting bats and/or nesting birds. The information submitted has been considered by GMEU who acknowledge that the buildings have negligible potential to support bats. However, it is noted that the surveys undertaken were external only and carried out in late September. In line with the precautionary principle it would therefore be appropriate to condition a pre-commencement check of external features. The survey also recommends provision of bat boxes and an appropriately worded condition is suggested.
- 7.7.9 Overall it is considered that the development would deliver biodiversity net gain and has the potential to include sufficient greening measures to meet the requirements of planning policy.

7.8 Environmental impact

- 7.8.1 The site falls within Blackpool's Air Quality Management Area and an Air Quality Assessment has been submitted. This has been considered by the Council's Environmental Protection team who agree with its conclusions. Dust during demolition and construction is the only remaining concern and it is considered that this could be satisfactorily addressed through agreement of a Demolition and Construction Management Plan by condition.
- 7.8.2 With regard to potential land contamination, a phase 1 geo-environmental report has been provided. Again, this has been agreed by Environmental Protection. A phase 2 investigation is now required and this could be secured through condition along with any necessary mitigation measures.
- 7.8.3 It is considered that any potential impact on water quality could be adequately addressed through the conditioning of a drainage strategy and Demolition and Construction Management Plan.
- 7.8.4 Policy CS10 requires all major-scale non-residential schemes to achieve a BREEAM rating of 'very good'. A BREEAM pre-assessment has been submitted with the application which

identifies an applicant aspiration to achieve an 'excellent' rating. Whilst this higher rating would naturally be welcomed, it would be unreasonable to require it through condition as it would go beyond the policy stipulation. As such, the standard BREEAM condition has been recommended.

- 7.8.5 Blackpool Council has declared a climate emergency and is committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030. The application proposes provision of photovoltaic (PV) equipment on the roofs of the buildings and the documentation submitted with the application expresses a commitment to minimising energy use. It is recommended that conditions be attached to any permission granted to require submission and agreement of a sustainability statement to cover energy, water and waste minimisation.

7.9 Compliance with Environmental Impact Assessment (EIA) regulations

- 7.9.1 As set out above, an Environmental Statement (ES) has been submitted with the application. Given the planning agents familiarity with the site, no formal screening or scoping opinion was sought. Instead, as stated, and in-line with the approach taken on Talbot Gateway phase 3, the ES focus has been limited to that of townscape visual and heritage impact.
- 7.9.2 As discussed, the ES has been considered on behalf of the Council by ARUP who are specialists in the field of EIA. Since first submission, both the proposed footprint and maximum height of the building have changed. The first triggered Regulation 25 of the EIA regulations which relates to the provision of further information and evidence because the parameter plans and Townscape Visual Impact Assessment had to be revised. As a result, the application was republicised. The latter change is a reduction in maximum height and ARUP has confirmed that this would not require any update to the ES as the original was based on worst-case-scenario impact.
- 7.9.3 As part of the ARUP review of the ES, they have considered all of the topics that are covered by EIA regulations, including those that have been scoped out on this occasion. A number of queries and requests for clarification have been made through the spreadsheet that ARUP typically produces as part of their ES review. As set out in the section on visual and heritage impact, the applicant intends to provide a response to all of the points raised and feels that they can be addressed. However, confirmation of this will not be available in time to be included in this report. This matter will be covered through the update note. As above, it will be possible to amend the officer recommendation if need be if additional time is required to resolve any outstanding ES queries.
- 7.9.4 Overall, and subject to the provision of additional confirming information, it appears to be the initial view of ARUP that the Environmental Statement is broadly acceptable and that the proposal would not result in any significant adverse effects as defined by the EIA regulations.

7.10 Other Issues

- 7.10.1 Policy DM18 requires all new developments to offer high-speed broadband connection. The applicant has submitted a broadband connectivity assessment which demonstrates that high-speed broadband is available in the area. A condition requiring that the development be provided with high-speed broadband is considered to be sufficient to discharge the requirements of this policy.

- 7.10.2 Policy DM25 requires all new development to support the cultural well-being of Blackpool and contribute to addressing positive social, economic and environmental outcomes through the provision of public art projects. In particular there is an expectation that public art will be provided within the Strategic Locations of Development identified by Policy CS1 of the Core Strategy. The town centre is one of these locations. Whilst the application site falls just outside of the town centre, it will be read as a continuation of it and as part of the Talbot Gateway area known formally as the Central Business District. It is therefore considered appropriate that public art be secured as part of the scheme.
- 7.10.3 It is acknowledged that public art can take many forms beyond traditional representations such as sculptures or murals. Public art can be woven into the fabric of a building through materials and architectural features, or into landscaping through street furniture, seating and planting designs. Lighting and way-finding features can also provide public art is appropriately designed. As this, with the exception of the demolition element, this application is made in outline with all matters reserved, it is considered that a condition should be imposed on any permission granted to ensure that the detailed schemes brought forward at reserved matters stage include appropriate public art provision.

7.11 General requirements

- 7.11.1 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).
- 7.11.2 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.
- 7.11.3 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.

7.12 Sustainability and planning balance appraisal

- 7.12.1 Sustainability comprises economic, environmental and social components.
- 7.12.2 Economically the scheme would bring a further education campus and potentially new office floorspace into the town centre. Not only would this support existing business and services, it would expand the Blackpool skills base to support economic growth and diversification. Some employment could be generated through operation, particularly from any office floorspace, and employment could be generated through the construction phase. Overall the scheme is expected to deliver clear economic benefits.
- 7.12.3 Environmentally, it is expected that a building or buildings of high quality design could be secured through agreement of reserved matters to ensure that the development would have positive visual impact. The site is in a sustainable location and there is no reason to

suppose that users would be dependent upon private car use. Renewable energy sources are proposed and strategies and measures to minimise energy and water use and waste generation could be secured through condition. Appropriate drainage could be provided. No unacceptable impacts on environmental quality are expected and the scheme would deliver biodiversity net gain and green infrastructure. As such, the proposal is expected to deliver clear environmental benefits.

- 7.12.4 Socially, the proposal would result in the loss of some housing, but as the Council can comfortably identify a sufficient housing land supply, this does not weigh heavily in the planning balance. The scale of the development and the proximity to existing properties means that the scheme would have some impacts on residential amenity through overshadowing, over-bearing impact and loss of privacy. Whilst this weighs notably against the application in the planning balance, no impact is expected to be so severe as to outweigh all other considerations and justify refusal. The proposal would result in the loss or crowding of views of Blackpool Tower from some localised viewpoints. However, these would not be strategic views. Overall and subject to a high quality design being secured at reserved matters stage, the development would have a neutral impact upon the setting and significance of local heritage assets. Subject to the imposition of appropriate conditions, it is considered that the development can be kept safe from and would not exacerbate existing flood risk, and that any highway safety concerns could be adequately managed.
- 7.12.5 In terms of planning balance, the clear economic and wider community benefits of the scheme are considered to be sufficient to outweigh the localised impact on residential amenity and any localised visual impacts. This conclusion is subject to a high quality design being secured at reserved matters stage. On this basis, the development proposed is considered to constitute sustainable development and no other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 The scheme would generate business rates income for the Council but this is not a material planning consideration and carries no weight 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 is considered to accord with both priorities as the provision of further education floorspace and potentially office space would support an enhanced skills base and economic growth. The development would also deliver regeneration in a deprived area and bring students and potentially workers into Blackpool town centre. Finally, the provision of a further education hub would have clear community benefits through increased access to education and from that skills and employment.

10.0 CONCLUSION

- 10.1 The proposal is considered to represent sustainable development and no material planning considerations have been identified that would outweigh this view. As such, planning permission should be granted.

11.0 RECOMMENDATION

- 11.1 Resolve to support the application and delegate approval to the Head of Development Management subject to either Active Travel England withdrawing their objection to the scheme or the Secretary of State confirming that he does not wish to call the application in for his own determination.
- 11.2 Resolve to support the application and delegate approval to the Head of Development Management subject to the following conditions, but to authorise the Head of Development Management to make changes to the wording of the conditions as may be appropriate as long as the changes would not materially affect what the condition is trying to achieve or the permission overall:

FULL ELEMENT

- 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 (a) Prior to the commencement of any development on site, a Demolition Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the Demolition 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 period
 - (ii) measures to control noise emanating from the site during the demolition period
 - (iii) hours and days of demolition 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 demolition loading, off-loading, parking and turning within the site during the demolition 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 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 demolition 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 period, and prevent the runoff of surface water to the highway in storm conditions during and following demolition and site restoration
- (ix) routing of demolition and site restoration traffic
- (x) a condition survey of the adopted public highway up to the first junction with the strategic road network along the proposed demolition traffic route, or other area as may first be agreed in writing with the Local Highway Authority, along with a demolition 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 demolition period)

(b) The demolition hereby approved shall proceed in full accordance with the approved Demolition 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 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 DM36 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.

- 3 (a) Immediately prior to the demolition of any property as hereby approved, a pre-commencement check of external features shall be carried out by a suitably qualified and experienced bat-licensed ecologist. This check shall include use of high-level access equipment to access the key areas of the structure such as any slipped tiles, mortar cracks or missing bricks, with features then searched using an endoscope and thermal imaging camera.

(b) Prior to the commencement of any development, a Method Statement for bat protection shall be submitted to and agreed in writing by the Local Planning Authority and

the demolition works shall thereafter proceed in full accordance with this agreed Method Statement.

(c) In the event that the check required pursuant to part (a) of this condition reveals a bat to be present, or if a bat or bats are encountered during works, all works shall cease until such time as a bat mitigation licence has been obtained.

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.

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

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

- 5 (a) Prior to the commencement of demolition hereby approved, a site waste management plan for the demolition and site restoration phase shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The development hereby approved shall then proceed in full accordance with the plan agreed pursuant to part (a) of this condition.

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

- 6 Prior to the commencement of any demolition hereby approved, a scheme for the restoration of the site to leave it in a secure and tidy condition shall be submitted to and agreed in writing by the Local Planning Authority, including a timetable for implementation, and the development shall thereafter proceed in full accordance with this approved scheme.

Reason: In order to ensure that the site is left in a tidy and secure condition following demolition in the interests of public visual and general amenity, and to safeguard the setting of nearby heritage assets, in accordance with the provisions of 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.

OUTLINE ELEMENT

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

- Layout
- Scale

- Appearance
- Access
- Landscaping

(ii) Applications for approval of the reserved matters shall be made to the Local Planning Authority in accordance with the following timetable:

Phase 1 (marked on the Land Use Parameters Plan ref. BLMU-HBA-SW-ZZ-DR-A-080004 Rev P8 as 'Plot 1) before the expiration of three years from the date of this permission and the development hereby permitted in respect of phase 1 shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Phase 2 (marked on the Land Use Parameters Plan ref. BLMU-HBA-SW-ZZ-DR-A-080004 Rev P8 as 'Plot 2) before the expiration of five years from the date of this permission and the development hereby permitted in respect of phase 2 shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

- 8 The Reserved Matters applications submitted for each phase hereby approved in outline shall be in strict accordance with the parameters outlined on the following drawings:

Land Use Parameters Plan ref. BLMU-HBA-SW-ZZ-DR-A-080004 Rev P8
 Maximum Building Heights Parameter Plan ref. BLMU-HBA-SW-ZZ-DR-A-080005 Rev P9
 Illustrative Masterplan ref. BLMU-HBA-SW-ZZ-DR-A-080006 Rev P5

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission, and to protect strategic views, the quality of the streetscene and townscape and the setting of heritage assets, and to prevent unacceptable impacts from over-shadowing, over-looking and an over-bearing presence, in accordance with the provisions of Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM26, DM27 and DM28 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 9 The outline element of the development hereby approved shall not exceed the following quantum of floorspace/capacity and shall not be used other than for the following uses:

Phase 1: Education provision within Use Class F1(a) up to a maximum of 21,625sqm

Phase 2: Education provision within Use Class F1(a) OR office floorspace for use within Use Class E(g) up to a maximum of 12,690sqm

Use Classes quoted as set out in the Town and Country Planning (Use Classes) Order 1987 as amended and as may be amended by any future update to this legislation.

Reason: In order to protect the vitality and viability of the town centre and the wider spatial strategy for Blackpool in accordance with the provisions of Policies CS4, CS7 and CS19 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM15 and 41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

- 10 No development shall commence in respect of any permission granted for phase 2 (marked on the Land Use Parameters Plan ref. BLMU-HBA-SW-ZZ-DR-A-080004 Rev P8 as 'Plot 2) in advance of a substantive start of above ground construction being made in respect of approved development authorised by this permission on phase 1 (marked on the Land Use Parameters Plan ref. BLMU-HBA-SW-ZZ-DR-A-080004 Rev P8 as 'Plot 1).
Reason: In order to ensure appropriate sequence of development to prevent construction of an isolated building detached from the main body of the Central Business District and resulting in a potentially overly constrained vacant site directly adjoining the Town Centre and Central Business District boundary in accordance with the objections of Policies CS1, CS4, CS7 and CS19 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no enlargement of the building(s) the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: In order to safeguard the setting of nearby heritage assets, the visual amenities of the area and the amenities of nearby residents in accordance, and to avoid unacceptable impact upon the highway network, in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM26, DM27, DM28 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.
- 12 (a) Prior to the commencement of any development on site, a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the 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 construction period
 - (ii) measures to control noise emanating from the site during the construction period
 - (iii) hours and days of construction work for the development. Please note that typically acceptable working hours are 0800-1800 Mondays to Fridays and 0900-1300 on Saturdays with no working on Sundays or Public Holidays without prior consent.
 - (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 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 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 construction of the development shall thereafter proceed in full accordance with the approved 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 DM36 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.

13 (a) Prior to the commencement of development on any phase of the development hereby approved, a site waste management plan shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The development hereby approved shall then proceed in full accordance with the plan agreed pursuant to part (a) of this condition.

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

14 (a) Prior to the installation of any external plant on any phase of the development hereby approved, the following information shall be submitted to and agreed in writing by the Local Planning Authority;

(i) details of the plant and associated systems to include positioning, appearance, materials and technical specification;

(ii) a noise impact assessment to include details of any noise attenuation measures required to demonstrate that the operation of the plant would not result in the following cumulative noise levels being exceeded:

- 35dB LAeq (16hr) from 0700 to 2300 within living rooms
- 30dB LAeq (8hr) from 2300 to 0700 within bedrooms
- 45dB LAFmax from 1900 to 0700 for single sound events within bedrooms
- 50dB LAeq (16hr) from 0700 to 2300 for outdoor living areas
- The evening standard LAFmax will only apply where the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

(b) the external plant agreed pursuant to part (a) of this condition shall then be implemented in full accordance with the approved details and shall not be brought into use until any necessary noise attenuation measures identified and agreed pursuant to part (a) of this condition have been implemented in full and in full accordance with the approved details.

(c) the external plant and any associated noise attenuation measures shall thereafter be retained and maintained as such.

Reason: In order 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.

15 Prior to any internal cooking facilities being first brought into use in any phase of the development hereby approved, details of a scheme to control odour shall be submitted to and agreed in writing by the Local Planning Authority and the use shall thereafter operate in full accordance with this agreed scheme.

Reason: In order 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

- 16 Before any phase of the development hereby approved is first brought into use:
- (a) details of refuse storage provision to include size, design and materials shall be submitted to and agreed in writing by the Local Planning Authority;
 - (b) the refuse storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details; and
 - (c) No bins or refuse shall be stored outside of the building.

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.

- 17 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 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.

- 18 (a) Prior to or concurrent with the submission of a reserved matters application for each building hereby approved, an operational waste management plan for that building 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 operational waste management plan agreed pursuant to part (a) of this condition.

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

- 19 Prior to the commencement of development;

- (a) a methodology for a phase 2 geo-technical site investigation into potential land contamination to include the provision of information on existing basements within the site shall be submitted to and agreed in writing by the Local Planning Authority; and
- (b) the phase 2 investigation approved pursuant to part (a) of this condition shall be carried out in full and the results of this investigation shall be submitted to and agreed in writing by the Local Planning Authority; and

(c) any scheme of remediation shown to be required by the investigation undertaken pursuant to part (c) shall be submitted to and agreed in writing by the Local Planning Authority; and

(d) the remediation agreed pursuant to part (d) of this condition shall be carried out in full and a validation report confirming the works shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with 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.

20 a) Prior to or concurrent with the submission of any reserved matters application for any part of the development hereby approved, a scheme of ecological enhancement for that part 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 of that part of the development and shall thereafter be retained and maintained as such.

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

- Native tree planting
- Provision of planting to attract pollinators
- Provision of bird holes or boxes
- Provision of bat holes or boxes

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

21 (a) No development of any phase shall commence until a scheme for the provision of green infrastructure within the site for that phase including a timetable for delivery and a maintenance strategy for it has been submitted to and approved in writing by the Local Planning Authority; and

(b) No development shall be first brought into use until the green infrastructure agreed for that phase pursuant to part (a) of this condition has been implemented in full and in full accordance with the agreed details.

For the purpose of this condition it should be noted that the green infrastructure proposed should be sufficient to meet the requirements of the Greening Blackpool SPD and include innovative greening measures such as green walls and/or roofs and best practice SUDS with multiple benefits for people and biodiversity. The level of provision should be sufficient to off-set any shortfall in tree provision on-site. If it is not possible for sufficient tree planting or innovative greening measures to be provided on site, this should be robustly demonstrated

through provision of a Financial Viability Appraisal as part of any discharge of condition application.

Reason: In order to ensure that adequate greening measures are incorporated into the development in the interests of biodiversity, the quality of the environment and the appearance and character of the site and area in accordance with the provisions of Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and Policies DM21 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 and the Greening Blackpool SPD. This condition is required to be discharged prior to commencement in order to ensure that an acceptable scheme can be secured to serve the development.

22 (a) The development hereby approved shall proceed in full accordance with the submitted Pre-Assessment BREEAM Report prepared by KJ Tait Revision 01 dated October 2023 unless an alternative assessment is first submitted to and agreed in writing by the Local Planning Authority;

(b) Before any phase of 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.

(c) The development shall thereafter proceed and be operated in full accordance with the approved BREEAM 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.

23 Prior to the commencement of above ground development on any phase of the development hereby approved, a Sustainability Strategy for that phase shall be submitted to and agreed in writing by the Local Planning Authority. This strategy shall;

- specify energy efficiency measures to be used within the development
- specify renewable energy features to be used within the development
- specify measures to reduce water consumption by the development

The development shall thereafter proceed and be operated in full accordance with agreed the Sustainability Strategy.

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

24 (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.

- 25 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.

26 Prior to or concurrent with the submission of any reserved matters application for any phase of the development hereby approved, a parking scheme and management plan for that scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall:

- detail the number of spaces
- detail the proportion of spaces to be accessible and/or provide electric vehicle charging facilities
- detail how use of the spaces would be restricted and managed

Any parking provided on site shall thereafter be retained, maintained and operated in full accordance with these approved details.

Reason: In order to ensure that adequate and accessible parking and EV charging provision is available to meet the needs of the development in the interests of highway safety, and to encourage travel to and from the site by ultra-low and zero emission vehicles 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.

27 Before any phase of the development hereby approved is first brought into use:

(a) details of cycle storage provision for that phase to include the type of cycle stand and (if external) 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.

28 Within three months of the date of this decision, and prior to the commencement of any development, a Transport Assessment addendum shall be submitted to and agreed in writing by the Local Planning Authority. This addendum shall detail:

- (i) analysis of traffic flows following the reopening of High Street and operation of the North Station tram station / tramway extension
- (ii) assessment of the consequences to the traffic flow analysis within the submitted Transport Assessment as a result of (i)
- (iii) modelling of traffic flows taking account of (i) and (ii) in the event that the section of George Street between Cookson Street and Grosvenor Street is closed
- (iv) modelling of traffic flows taking account of (i) and (ii) in the event that the section of George Street between Cookson Street and Grosvenor Street is closed and any part of Talbot Road between Cookson Street and Buchanan Street has to be closed in the event of emergency
- (v) modelling of traffic flows taking account of (i) and (ii) in the event that any part of Talbot Road between Cookson Street and Buchanan Street has to be closed in the event of emergency but that the relevant section of George Street could be reopened to temporary flows
- (vi) consideration of how George Street between Cookson Street and Buchanan Street could be configured to support temporary use in the event of an emergency requiring the closure of the relevant part of Talbot Road

Reason: In order to ensure that the development would not compromise the safe and convenient function of the road network in accordance with the provisions of 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 (a) Prior to the commencement of development a scheme of off-site highway improvement works including a timetable for implementation based on trigger points associated with the proposed phases shall be submitted to and agreed in writing by the Local Planning Authority.

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

- additional pedestrian crossing facilities
- public realm enhancements
- changes to traffic signals at existing junctions (to be informed by the information required pursuant to condition 28)
- modification of existing layby for bus operation
- modification of existing layby for set-down and pick-up for vehicle types to be agreed
- upgrade of bus stops

- provision/modification of street-lighting
- provision/modification of utilities
- provision/modification of Traffic Regulation Orders

(b) no phase of development hereby approved shall be first brought into use until the necessary highway works identified in the timetable of implementation and agreed pursuant to part (a) of this condition have been implemented in full.

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.

30 Notwithstanding the information set out in the submitted Travel Plan which is broadly acceptable:

(a) No phase of the development hereby approved shall be first brought into use until a Travel Plan in respect of that phase has been submitted to and agreed in writing by the Local Planning Authority.

The Travel Plan shall include:

- (i) appointment of a travel co-ordinator
- (ii) proposals for surveying
- (iii) production of travel audits
- (iv) establishment of a working group
- (v) an action plan
- (vi) timescales for implementation
- (vii) targets for implementation

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

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 Prior to first use of any phase of the development hereby approved, a Servicing Strategy for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall detail how deliveries to and collections from the development, including waste removal, would be managed. The development shall thereafter proceed in full accordance with the relevant Servicing Strategy.

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

32 (a) Prior to or concurrent with the submission of any reserved matters application in respect of a phase or building of the development hereby approved, a security strategy for that phase shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The development shall then proceed and be operated in full accordance with the relevant strategy approved pursuant to part (a).

For the purpose of this condition, the security strategy shall include details of;

- (i) CCTV
- (ii) Security lighting
- (iii) Alarm systems
- (iv) Use of appropriate materials such as anti-climb and anti-vandal finishes
- (v) Access controls
- (vi) Measures to deter skateboarder and similar from use of streetfurniture, stairs and ramps
- (vii) Doorway and recess treatments to deter rough-sleeping
- (viii) Measures to minimise risk of suicide attempt
- (ix) Approaches to landscaping to maintain natural surveillance and visibility across the site
- (x) Use of streetfurniture designed to withstand vandalism
- (xi) Provision of anti-terrorism features

Note: all security measures should be designed to a high standard to fit with and enhance the overall visual quality of the site without appearing unduly intimidating or overly defensive.

Reason: In the interests of the appearance of the site and locality and public safety in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH4 of the Blackpool Local Plan 2001-2016.

33 (a) Prior to or concurrent with the submission of any reserved matters application for any phase of the development hereby approved, a scheme for the provision of public art as part of that phase shall be submitted to and agreed in writing by the Local Planning Authority.

(b) Prior any phase of the development hereby approved being first brought into use, the Public Art approved pursuant to part (a) of this condition for that phase 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.

34 The development hereby approved shall proceed in full accordance with the broadband provision statement produced by GTech Surveys Limited and recorded as received by the Council on 17 Nov 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.

- 35 At least 14 days before commencement of the demolition and/or 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'.

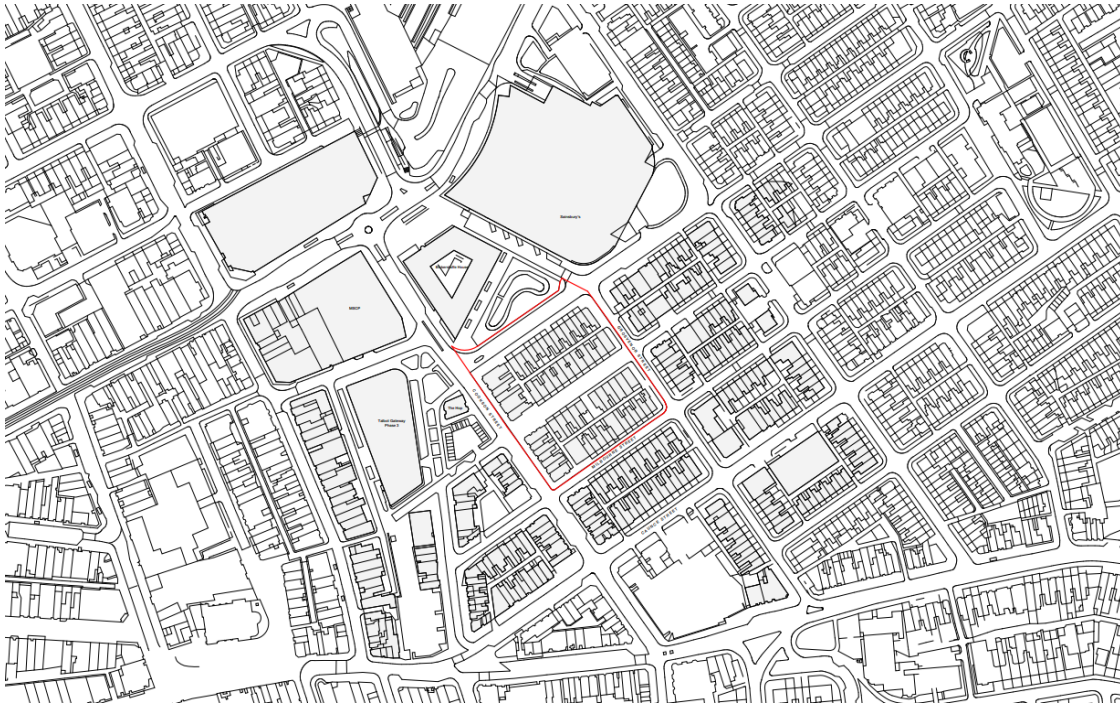
Reason: In order to safeguard aerodrome operation in accordance with the provisions of Policy DM42 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

ADVICE NOTES TO DEVELOPERS

1. The design put forward at Reserved Matters stage must be sensitive to the location of the development to off-set localised heritage impacts.

Appendix 11a: 23/0830 – Multiversity – plans

Location plan



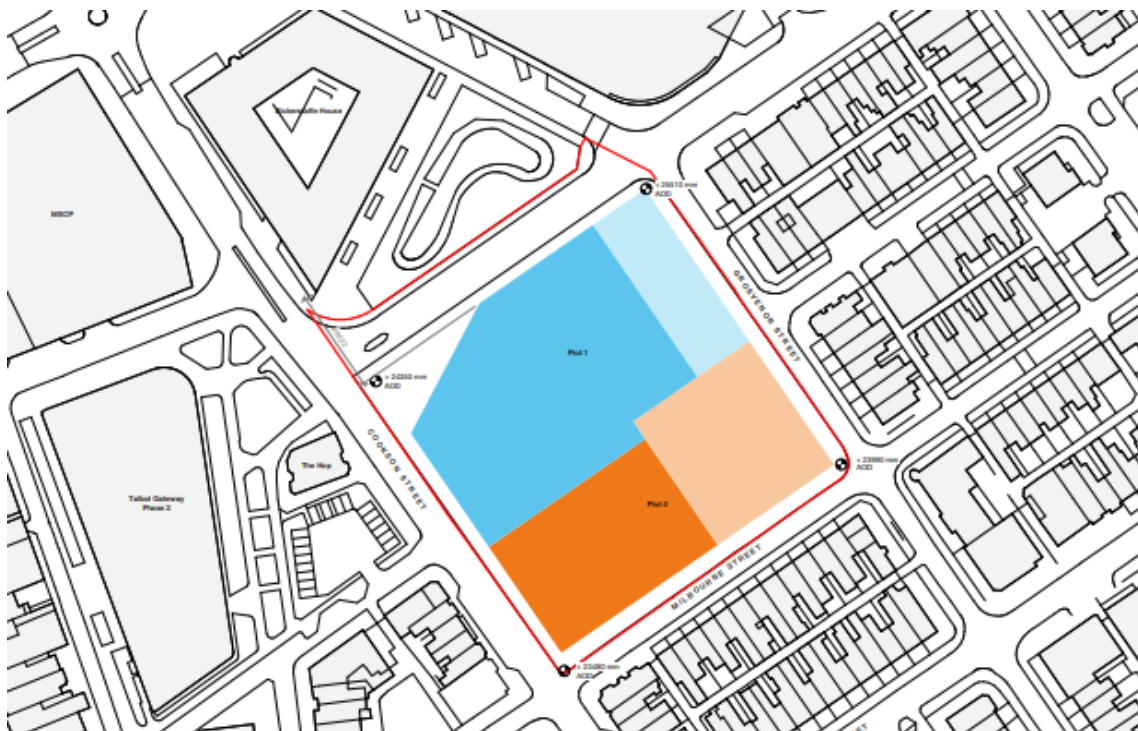
Illustrative site masterplan



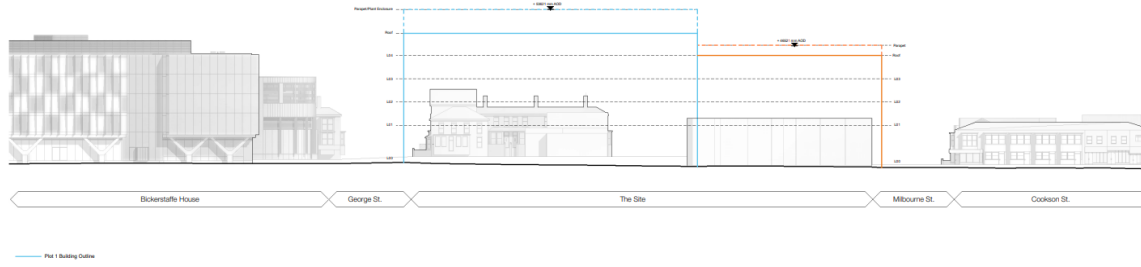
Land use parameters plan



Maximum heights parameters plan



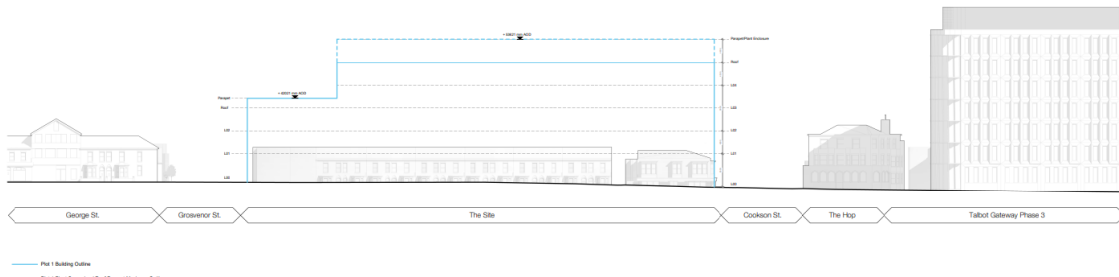
Streetscene – west



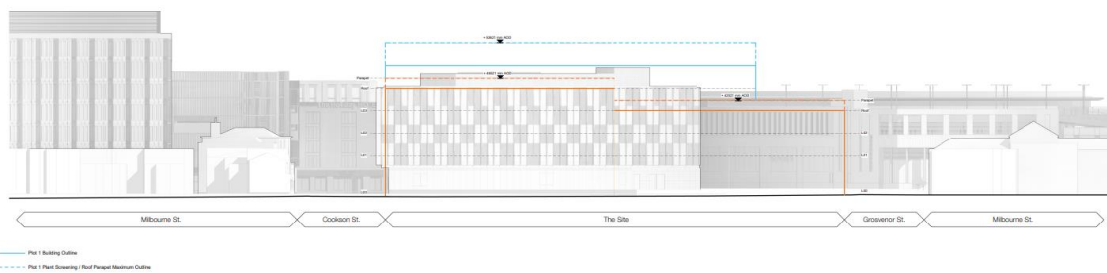
Streetscene – east



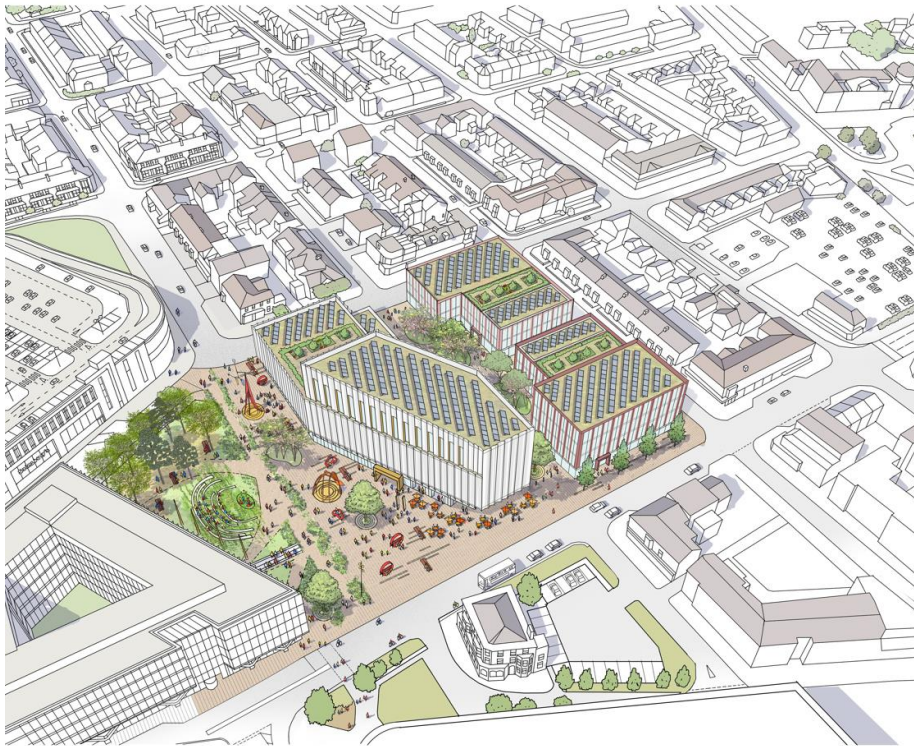
Streetscene – north



Streetscene – south



Indicative visuals



Blackpool Council
Development Management

Officer Report to Committee

Application ref:	23/0848
Ward:	Bloomfield
Application type:	Full major application
Location:	SITE BOUNDED BY THE PROMENADE, ST CHADS ROAD, WOODFIELD ROAD AND BOLTON STREET BLACKPOOL, FY1 6BN
Proposal:	Erection of a part 5, part 6 storey hotel with 143 bedrooms and ancillary facilities, with car parking to rear accessed from Woodfield Road and landscaped external seating area to front.
Recommendation:	Grant permission subject to conditions
Recommendation Summary:	The application seeks to redevelop a prominent, vacant site on Blackpool Promenade to provide modern visitor accommodation. The proposed hotel would be well designed and would help to regenerate this area of the Promenade and the wider resort as a tourism destination, and this weighs significantly in favour of the scheme. The scale of the building would have no greater impact on residential and visitor amenities of surrounding properties that St Chads Terrace which previously occupied the site. On site car parking would be limited but managed and the site is in a highly accessible location. No other issues that weigh notably in the planning balance have been identified. It is considered that the benefits of the scheme in terms of redevelopment and regeneration are considered to be significant. As such the proposal is judged to represent sustainable development and Members are, therefore, respectfully recommended to grant planning permission subject to the conditions listed at the end of this report.
Meeting date:	9 April 2024
Reason for bringing to Committee:	Major application of general public interest
Case officer:	Clare Johnson
Case officer contact:	01253 476224

1.0 SITE DESCRIPTION

- 1.1 The 0.27ha application site is a roughly rectangular and recently cleared site bound by Woodfield Road to the north, St Chads Road to the south, Bolton Street to the east and the Promenade to the west. The site slopes gently towards the Promenade and is surrounded by

hoarding apart from parking spaces which are accessed off the Promenade. It is assumed these are managed by the Lyndene Hotel to the north as both sites are under the same ownership.

- 1.2 The site previously accommodated St Chads Terrace, which was a four storey block of holiday accommodation, dominated by St Chads Hotel, but also comprising the Lyric Hotel, Regency Holiday Flats and café. To the rear there were four, four storey outriggers which projected to within approximately 3.8m-4.6m of Bolton Street.
- 1.3 This part of the Promenade is dominated by holiday accommodation with surface level car parking on front forecourts, accessed directly off the Promenade. The site benefits from being on the Promenade, centrally located between South Pier, the Sandcastle and the Pleasure Beach to the south and Blackpool Tower, Central Pier and Town Centre attractions to the north. To the east, there are long terraced rows of three-storey, smaller scale holiday accommodation on St Chads Road and Woodfield Road and there is a small two storey converted dwelling to the rear on Bolton Street. The Skye Oceans Hotel to the south of St Chads Road features on the local list and is a non-designated heritage asset.
- 1.4 St Chads Road runs one way from Lytham Road towards the Promenade and has parking bays along the south side of the road, and double yellow lines along the north. The northern pavement is shared by pedestrians and cyclists. Woodfield Road is two-way with parking along the south and double yellow lines along the north. Bolton Street is very narrow but is nevertheless open to two-way traffic but has double yellow lines along both sides.
- 1.5 The site is within the South Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Holiday Accommodation Supplementary Planning Document. The site is also within the Resort Core, the Defined Inner Area and the Aerodrome Safeguarding zone.
- 1.6 The building itself would be in Flood Zone 1 but the front of the site is within Flood Zone 3. The site is at low risk of surface water or reservoir flooding. No other designations or constraints are identified.

2.0 PROPOSAL

- 2.1 The application is for full planning permission for the erection of a part 5, part 6 storey hotel with 143 bedrooms (10 of which would be wheelchair accessible) and ancillary facilities, with 23 car parking spaces to the rear accessed from Woodfield Road and a landscaped external seating area to front with public art provision.
- 2.2 The building would present a 61.5m wide frontage along the Promenade. The five storey element would be around 17.7m tall, the six storey element would be around 20.5m tall. Louvered roof top plant screens would be set back from the elevations by at least 3.2m and would give the building a maximum height of around 21.8m.
- 2.3 The application has been supported by:
 - Planning Statement
 - Design and Access Statement
 - Flood Risk Assessment
 - Drainage Strategy
 - Noise Impact Assessment
 - Transport Assessment

- Framework Travel Plan
- Service Management Plan
- Construction Management Plan
- Landscape Strategy Document
- Energy Statement and BREEAM Report
- Statement of Community Involvement
- CGI's

3.0 RELEVANT PLANNING HISTORY

- 3.1 23/0218 – Full planning application for the demolition of existing buildings including St Chads Hotel, Lyric Hotel, Regency Apartments and cafe and erection of 2.4m high Heras Fencing and hoardings to boundary. Approved 31/05/2023
- 3.2 19/0056 - 429 - 437 Promenade, Blackpool, FY1 6BQ (approximately 400m away, to the north of the application site) - Erection of part four, part five-storey hotel to provide 104 guest bedrooms an ancillary cafe/restaurant unit at ground floor level and parking to the rear with vehicular access taken from Commercial Street following clearance of the site. Approved 03/04/2019. Construction commenced and stalled, but currently being marketed.
- 3.3 No other relevant planning history has been identified.

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

4.1 National Planning Policy Framework (NPPF)

4.1.1 The NPPF was last updated 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 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving well-designed places
- Section 14 Climate Change, Flooding, & Coastal Change
- Section 15 Conserving and Enhancing the Natural 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 Blackpool Local Plan Part 1 was adopted in January 2016. The following policies are most relevant to this application:

- CS1 Strategic Location of Development
- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Heritage
- CS9 Water Management
- CS10 Sustainable Design and Low Carbon and Renewable Energy
- CS11 Planning Obligations

- CS21 Leisure and Business Tourism
- CS23 Managing Holiday Bed Spaces

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

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

- DM10 Promenade and Seafront
- DM17 Design Principles
- DM19 Strategic Views
- DM21 Landscaping
- DM25 Public Art
- DM28 Non-designated Heritage Assets
- DM31 Surface Water Management
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM41 Transport Requirements for New Development
- DM42 Aerodrome Safeguarding

4.6 Other Relevant documents, guidance and legislation

4.6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 section and 70(2) of the Town and Country Planning Act 1990 state that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

4.6.2 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Mandatory biodiversity net gain does not apply to major applications which were submitted before the 12th February 2024. However, the Council will seek to secure biodiversity gains where practicable in accordance with Section 15 of the NPPF and Policy DM35.

4.6.3 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.

4.6.4 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.

4.6.5 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.

4.6.6 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.
- 4.6.7 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.
- 4.6.9 Holiday Accommodation Supplementary Planning Document (SPD) - this document was adopted in November 2017 as a revision to the original version adopted in March 2011. It sets out the Council approach to proposals for or relating to holiday accommodation and identifies the safeguarded holiday accommodation areas.

5.0 CONSULTEE RESPONSES

- 5.1 **Environment Agency (EA):** The EA has no objection to the proposed development but confirm that part of the red edge boundary is within Flood Zone 3. While the application boundary falls within Flood Zone 3, no development is proposed within Flood Zone 3. It will be for the Local Planning Authority to decide whether or not the FRA as submitted complies with the requirements of the standing advice for local planning authorities where required and / or that the risk of flooding from other sources is adequately assessed.
- 5.2 **Blackpool Airport:** The Airport has requested the imposition of their standard crane advice condition.
- 5.3 **NATS Safeguarding:** The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, NERL should be consulted on any changes to the scheme.
- 5.4 **Electricity North West:** Issued their standard advice in relation to underground and overhead services.
- 5.5 **Lancashire Fire and Rescue:** Offered their standard Building Regulations access and water supply requirements.
- 5.6 **United Utilities:** United Utilities is accepting of the drainage strategy and has requested the imposition of conditions relating to its' implementation and ongoing maintenance and management.
- 5.7 **Police Architectural Liaison Officer:** We would advocate that the installation be designed and constructed using the security principles and security rated products as stated in the attached SBD 'COMMERCIAL DEVELOPMENTS 2023' Design Guide. Further details about Secured By Design, including application forms and security specifications can be found at www.securedbydesign.com. It appears this proposal is seeking to achieve a BREEAM – Very

Good Rating, the BREEAM report confirms that SBD principles are being considered for this development which is positive.

- 5.8 **Environmental Protection:** No land contamination concerns. Officers agree with the recommendations of the noise assessment. With regards to the construction management plan, Environmental Protection would support the following:

Mon - Friday - 8am - 6pm

Saturday 9am - 1pm

Sunday and bank holidays - no working

5.9 Local Highway Authority

- 5.9.1 The site layout diagram in the CTMP is clearly generic or from somewhere else with rather more space. The compound would be, mainly, the future car park. For example, given the shape of that area it would be impractical to have site car parking and many cabins and a wheel wash and allow larger vehicles to turn. Consequently it is considered that a CMP must be conditioned when a contractor is appointed.
- 5.9.2 The site access, for the period during construction, would need a Highways Act permission and approval of construction details, unless it can be agreed that what is there is adequate. That can be done at the same time as the contractor's CMP. It can be amended to the permanent version under the s278 agreement.
- 5.9.3 The documents rely on a loading bay in Woodfield Road, the geometry of which has been discussed at length. The concept can be supported as can the documents' explanations of how it will work. Concern remains that the bay and remaining carriageway would be barely sufficient for a large vehicle to pass whatever is in the bay. In addition, it would be inappropriate and impractical to reserve the bay solely for the hotel's use. It would also be inappropriate for the Council to introduce a bay that a reasonable range of larger vehicles could not get past.
- 5.9.4 In order to avoid delaying the processing of the application, it is suggested that the s278 works would include the minor works proposed on the radius, the various repaving works and alterations to kerb heights, access works and any necessary enabling works to facilitate the introduction of a loading bay. Such enabling works might have to include a minor widening of the Woodfield Road carriageway if detailed design work demonstrated that the available width is insufficient.
- 5.9.5 A condition is necessary requiring a scheme of off-site highway works comprising:
- Construction of a permanent access to the parking area
 - Amendments to paving and kerb heights on frontages
 - Works to improve the northern radius at the junction of the Promenade and Woodfield Road
 - Works to facilitate the introduction of a loading bay
 - Consequent Traffic Regulation Orders
 - Consequent or temporary amendments to street lighting
- 5.9.6 The access design would need to be changed, through the s278 agreement, to incorporate a fully dropped crossing and not dropped radii. The drawings need not be altered for planning purposes however.

- 5.9.7 With regards to the submitted Framework Travel Plan, the final document would need to be agreed. The Framework Travel Plan is comprehensive and if the full Travel Plan (when submitted) implements the facilities/methodologies discussed, then the Travel Plan should be acceptable subject to the provision of a drying room/facility for wet clothing to complement the facilities for cyclists/pedestrians.
- 5.10 **Lead Local Flood Authority:** Any comments will be reported in the Update Note.
- 5.11 **Head of Parks and Greens:** The Landscape Strategy Document looks good. However, this is only a concept and a full planting specification and planting plan would need to be conditioned. Some of the tree species may require revision at this point to ensure suitability.
- 5.12 **Conservation Officer:** The proposed hotel is not within a conservation area, nor within the setting of a designated heritage asset. It would not distract from views north towards the Tower. The nearest undesignated heritage asset is the locally listed Skye Oceans Hotel, 335 Promenade. This is a four storey hotel and, although there would be some visual impact, the harm would be less than substantial. Therefore, notwithstanding any other policy considerations, no objection is raised.

6.0 REPRESENTATIONS

- 6.1 Press notice published: 08/12/2023
- 6.2 Site notice published: 12/12/2023 and again 11/02/2024
- 6.3 Neighbours notified: 30/11/2023
- 6.4 14 objections have been received from the following properties:
- 1-3, 4 (x2), 8 and 32 Woodfield Road
 - 14 Wellington Road
 - 9, 15, 24, 26 and 28 St Chads Road
 - 42 King Edward Avenue
 - 70 Hornby Road
 - A property on Alexandra Road
- 6.5 These representations raise the following issues:
- Loss of bookings/revenue as a result of the demolition/construction;
 - The car park is close to guest bedrooms and will generate noise at all hours;
 - Since the demolition, the road markings have worn away and so drivers from each direction assume they have right of way.
 - The Bolton Street/Woodfield Road and St Chads Road junctions are already hazardous and there have been several accidents due to speeding drivers not giving way or going the wrong way on the one way street;
 - In the height of the season there are many car and coach drivers looking for places to park causing congestion and there are not enough parking spaces proposed for the number of bedrooms;
 - The lack of on-site parking will result in more congestion and illegal parking and make it more difficult for residents of Woodfield Road and St Chads Road to park;

- The previous hotels on the site did not have enough parking but the parking was at the front and so did not impact on Bolton Street;
- There should be a parking space for each room;
- Additional properties should be bought and levelled to be used as car parking;
- The site should become a multi-storey car park for the Lyndene and paying customers
- Woodfield Road could be made one-way and provided with resident only parking in mitigation;
- All of these big new modern hotels will put smaller hotels out of business;
- If approved, this will set a precedent for the re-development of the Lyndene next door leading to the more of the same problems;
- A modern four storey building would be better;
- Disruption, noise, traffic and inconvenience during the building process;
- Local businesses have already suffered due to the demolition of the buildings which resulted in filth and grime;
- No one could sit outside due to dust and unbearable noise during the demolition of the buildings;
- Windows had to be washed daily at own expense during the demolition of the buildings and all of the plants died and cars got scratched by dust and debris;
- The hotel would impact on views from hotels on St Chads Road;
- The height of the building would result in loss of light and poor outlook from adjacent guest bedrooms;
- The six storey hotel would block out sunlight and daylight from hotels on Woodfield Road and St Chads Road;
- The Council are not looking after traditional B&Bs;
- A more traditional Victorian façade would appeal to Blackpool;
- The building would look out of place and would ruin the Promenade;
- The building would dwarf B&Bs behind;
- We would need assurances that when the final application is approved that there will be a residents meeting and updates

6.6 The Committee is respectfully reminded that issues relating to loss of view, potential impact on property prices or preference for an alternative scheme or no development are not valid planning considerations.

6.7 Although of a similar design, it should be noted that the CGI used by the press is of a seven storey hotel and not the part five/part six storey hotel proposed. A replacement hotel on the site has been the subject of several pre-application meetings and various designs and scales have been drafted and discussed. Officers advised the applicant that a seven storey hotel was too high in its context and gave further advice on design and layout and the current scheme reflects that advice.

7.0 ASSESSMENT

7.1 Principle

7.1.1 The site is within the Resort Core and South Beach Holiday Accommodation Area, around 1km to the south of the Town Centre and a hotel is a Main Town Centre Use as defined by the NPPF. However Policy CS1 confirms that Blackpool's future growth, development and investment will be focused on Inner Area regeneration, including in the Resort Core which is home to the majority of resort attractions, facilities and holiday accommodation.

- 7.1.2 Furthermore, in order to physically and economically regenerate Blackpool's Town Centre and Resort Core and to strengthen the resorts appeal to attract new audiences year round, Policy CS21 focuses new visitor accommodation in these areas and the defined Holiday Accommodation Areas. Policy CS21 also supports development along the Promenade which complements the high-quality public realm investment and to enhance the appearance of the seafront.
- 7.1.3 Policy CS23 seeks to manage a reduction in the oversupply of poor quality holiday bed-spaces by supporting new holiday accommodation within main Holiday accommodation Areas. Although demolished in 2023, it is understood that the previous holiday accommodation within St Chads Terrace comprised around 110 hotel bedrooms and 17 holiday flatlets, all of which were dated, with a poor and incoherent layout, narrow internal corridors and floors on different levels, too many stair and lift cores, and would generally not meet modern visitor expectations or requirements. Re-use of the building was considered by the applicant to be unfeasible.
- 7.1.4 The proposed hotel would have 143 en-suite bedrooms so there would be an increase in holiday accommodation by around 16 rooms. The hotel bedrooms would be on the upper floors. On the ground floor there would be ancillary facilities including a reception and bar area, a hotel restaurant, and back of house services.
- 7.1.5 Given that the site is within the Resort Core and that the bar/restaurant would be ancillary to the main use of the building as a hotel, it has not been considered necessary to require an Impact Assessment (Policy DM15 refers) to establish and mitigate any impacts on the Town Centre or other defined centres.
- 7.1.6 There has been a hotel on the site for over 100 years and the site is surrounded by holiday accommodation. Given the above, the principle of replacement hotel development in this location is acceptable.

7.2 Visual impact

- 7.2.1 Para 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Para 135 states that planning decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development. They should be visually attractive as a result of good architecture and effective landscaping and sympathetic to the surrounding built environment whilst encouraging appropriate innovation or change. Para 135 goes on to state that development should establish or maintain a strong sense of place, using building types and materials to create attractive, welcoming and distinctive places to live work and visit which are safe, inclusive and accessible.
- 7.2.2 The National Design Guide and the National Model Design Code illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. The National Design Guide puts an emphasis on beauty and confirms that well-designed places are based on a sound understanding of the features of the site and the surrounding context, integrated into their surroundings so they relate well to them, influenced by and influence their context positively.
- 7.2.3 Policy CS7 requires new development in Blackpool to be well designed, and to enhance the character and appearance of the local area and should be appropriate in terms of scale,

mass, height, layout, density, appearance, materials and relationship to adjoining buildings. Development should provide public and private spaces that are well-designed, safe, attractive, and complement the built form and contemporary and innovative expressions of design will be supported, where appropriate. Policy DM17 sets out further, more detailed design guidance and confirms that new development on the Promenade should not be less than four storeys tall.

- 7.2.4 Policy CS21 supports new development along the Promenade's built frontage which complements the high quality public realm investment along the promenade to enhance the appearance of Blackpool's seafront. Policy DM10 supports proposals which further improve the appearance and economic function of the Promenade and seafront east of the tram tracks, including the re-development of existing poor quality holiday accommodation to provide high quality landmark buildings with high quality public realm and green infrastructure. Policy DM19 confirms that views along the seafront and coastline are strategic and precludes development that has a detrimental impact on strategic views.
- 7.2.5 The Promenade is Blackpool's shop window and having a hoarded, long-term vacant site in such a prominent position within the Resort Core is not desirable.
- 7.2.6 A replacement hotel scheme on this site has been subject to pre-application advice and the applicant has also undertaken their own publicity in order to gauge public opinion on the proposals. The details of the public consultation are set out in a Statement of Community Involvement which supports the application. The applicants' public consultation related to a previous iteration of the scheme for a seven storey hotel with 184 bedrooms, and these details were published in the press and on social media. Given the prominence of the location, significant consideration has been given to the design and appearance of the building. In particular officers were keen to ensure that the visual bulk of the building was minimised and established building lines were followed, so that it would not dwarf its neighbours or look out of place in its setting. As a result of feedback from officers and the public, the scale of the hotel has been reduced to part five and part six storeys, the footprint of the building has been reduced and the number of bedrooms has also reduced to 143. In accordance with para 137 of the NPPF, applications that can demonstrate early, proactive and effective engagement with the community should be looked upon more favourably than those that cannot.
- 7.2.7 The Lyndene Hotel to the north is 3 storeys with accommodation in a mansard roof and is around 14.3m tall. The New Oceans Hotel to the south (locally listed) is part 3 storey and part 4 storey and 13.8m rising to around 18m tall. To the east, properties fronting St Chads Road and Woodfield Road are 3 storeys and between 11 and 12.75m. The building would have a maximum height of around 21.8m but the main visible bulk of the building would be around 17.7m tall. The top floor would be set back from the main elevations, rising to around 20.5m tall, which is taller than the surrounding properties. However, the hotel would be an island site and surrounded by highways on all four sides, so does not need to slavishly adhere to the scale, massing and design of any adjoining buildings and can be taller in its immediate setting. However, a taller detached building would inevitably be more visible in the streetscene, so design quality is of utmost importance to ensure that the building becomes a really positive landmark feature on the Promenade.
- 7.2.8 The properties along this stretch of the Promenade have been significantly extended and altered over the years which has reduced the amount of positive architectural vernacular for any new development to respond to. However, one of the main architectural features present are evenly spaced bay windows, particularly on upper floors. In response, the

proposed hotel elevations are strongly ordered and the fenestration is shown arranged in bays with a strong vertical emphasis, but balanced by horizontal elements to give the building a strong rhythm with a base, middle and top. The ground floor front elevation would include more glazing than the upper floors, providing an active frontage with views into the hotel bar/reception and dining area. A section of the upper floor set back would be carried down to first floor level to create a strong vertical feature to define the main entrance. The main entrance would be further expressed by a cantilevered projecting canopy and the use of glazed blue brick around the entrance.

- 7.2.9 The main elevations would be a light brick with glazed blue brick accents to window reveals and decorative spandrel panels and the upper floor would be aluminium curtain wall with projecting fins and glazing with aluminium frames.
- 7.2.10 All street fronting elevations would provide a human scale and active frontage, and the building would have a consistent architectural style and use the same materials. The variety of heights and sections and range of materials is considered to effectively break up the massing and visual scale of the building. A condition precluding the installation of rainwater goods or soil pipes on the Promenade, Woodfield Road and St Chads Road elevations is considered necessary in order to safeguard the design quality of the building.
- 7.2.11 Notwithstanding the information submitted, conditions could be attached to any permission granted to agree the finer details of the materials and detailed sections of the elevations to ensure that recessed and projecting features are set-back/pushed forward to a meaningful degree to secure appropriate articulation and visual interest.
- 7.2.12 An unfortunate common feature along this part of the Promenade is forecourt car parking on what would once have been landscaped garden areas. This detracts significantly from the appearance, character and function of the Promenade. The parking area for the proposed hotel would be to the rear accessed off Woodfield Road, with the frontage reserved for seating, innovative green infrastructure including tree planting and public art. The Design and Access Statement confirms that public artwork would be developed with input from local artists, further helping to establish the proposed building as a midpoint Promenade landmark and destination for visitors. Details of the public art provision and a lighting scheme can be agreed and secured by condition. Green infrastructure is considered in more detail in section 7.5, but a good quality landscaping scheme could also be secured by condition to help soften the development, and to provide a quality setting to the hotel. Similarly, boundary treatments and fencing would also affect the setting of the hotel and the streetscene and should be agreed by condition.
- 7.2.13 Floor to ceiling windows are very popular in modern buildings, particularly in new hotels and other forms of residential accommodation. However, these allow the internal contents of the hotel rooms, such as unmade beds, to be viewed from the street. Based on experience elsewhere in Blackpool, this could detract significantly from the appearance of the building, particularly on such a prominent position on the Promenade. Therefore some level of obscuring of the lower half of the windows on the Promenade elevation is considered necessary, so visually there would still be the attractive look of the full height windows, whilst screening the lower level interior of the most prominent rooms. The detail of the obscuring would be agreed through condition as it has the potential to be a design feature of the building in its own right.
- 7.2.14 In light of the above, subject to conditions, the development is considered to be attractive, well designed and appropriate visually in this prominent location.

7.3 Heritage Impact

- 7.3.1 As stated earlier in the report, the Skye Oceans Hotel to the south of St Chads Road is locally listed and remains one of the few largely unaltered 1930's Art Deco buildings in Blackpool. This non-designated heritage asset is four storeys tall with a flat roof and rendered elevations.
- 7.3.2 Paragraph 209 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Policy CS8 supports proposals that enhance the setting and views of heritage assets.
- 7.3.3 It is considered that the development would have some visual impact on the setting of the non-designated asset, but any harm would be less than substantial and outweighed by clear public and regenerative benefits which are discussed elsewhere in the report.

7.4 Amenity

- 7.4.1 Para 135 of the NPPF states that development should create places that safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy CS7 would not permit development that causes unacceptable effects by reason of visual intrusion, overlooking, shading, noise and light pollution or any other adverse local impact on local character or amenity. Policy DM36 is permissive of development where it is compatible with adjacent uses and would not lead to unacceptable adverse effects on health, amenity, safety and the operation of surrounding uses.
- 7.4.2 A key objective of the Council's Core Strategy, as reflected in Policy CS21, is the physical and economic regeneration of Blackpool's Resort Core and Town Centre to strengthen the town's appeal as a visitor destination. It is therefore important to ensure that new visitor accommodation is of a high standard in order to meet modern tourist expectations.
- 7.4.3 There would be five floors of hotel bedrooms served by three lifts. The floorspace of 133 of those rooms would be between 21 and 24sqm and there would be five pairs of interconnecting accessible rooms, each with between 31 and 34sqm of floorspace. All hotel rooms would have en-suite facilities and natural light and 88 of the rooms would have a direct or indirect sea views. The hotel would be served by a bar area and a restaurant with a landscaped terrace. Although not strictly relevant to the consideration of the application, the supporting Planning Statement suggests that the hotel would be four star standard and operated under an established global hotel brand. The quality of the accommodation would be good and would appeal to a wide range of audiences.
- 7.4.4 Objections have been received siting loss of outlook, light and sunlight. The locality has a densely built up urban character. Prior to its demolition, St Chads Terrace at four storeys tall (around 15.6m maximum height), was around 11 metres from the nearest properties to the east on Bolton Street, Woodfield Road and St Chads Road. The bulk of the hotel proposed would be around 21m away from those same properties and around 20.3m tall. So the hotel would be around 5m taller and the bulk would be around 10m further away.

7.4.5 The rear of the former St Chads terrace was a mix of red brick and dark render. The proposed hotel would have a lighter, well designed and coherent rear elevation which would help reflect light back towards properties to the east and would provide better outlook from windows on Bolton Street and would reduce overlooking. The proposed hotel would not have a material impact on light as the sun sets to the west, over and above impacts from the previous development on the site, given the orientation of the site in relation to the surrounding streets as demonstrated by the sketches in figures 1 and 2 below.

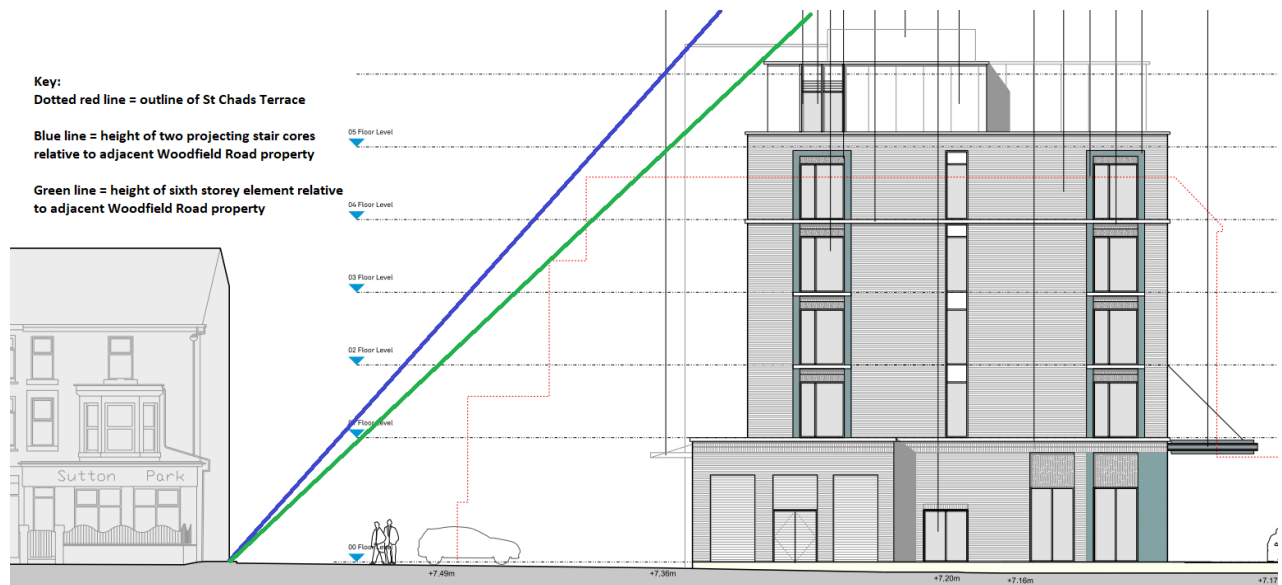


Figure 1: Woodfield Road

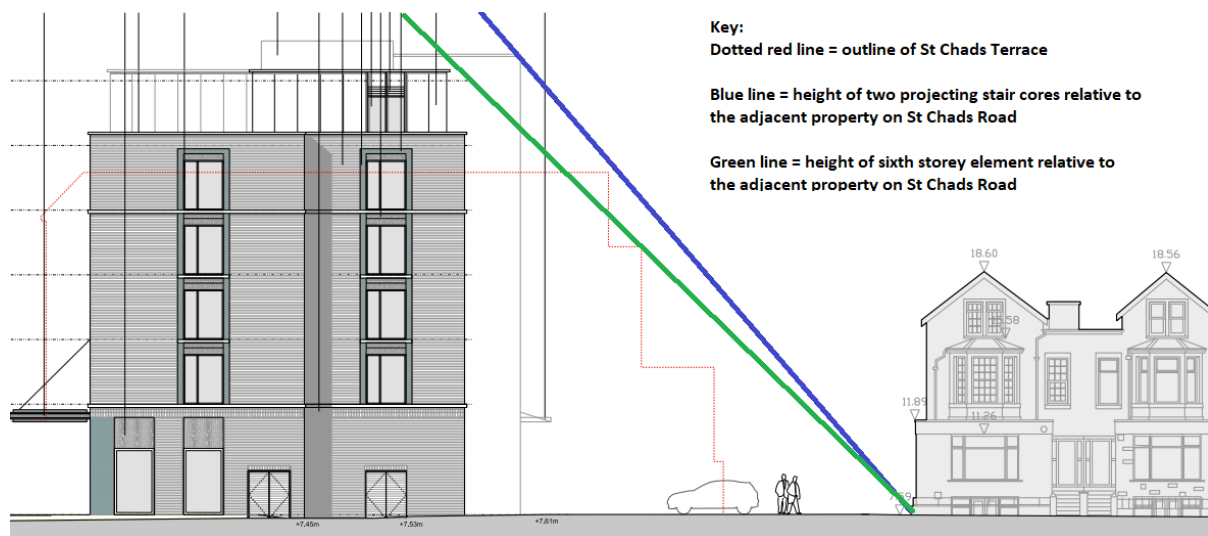


Figure 2: St Chads Road

7.4.6 The existing hotel on the Promenade to the south would be unaffected in terms of light levels and the impacts on the hotel to the north would not be materially different to the previous development on the site. The space between the proposed hotel and the hotel to the south and to the north, again would not be materially different to the previous situation in terms of the inter-visibility between hotel bedroom windows.

7.4.7 A Noise Assessment accompanies the application and considers the potential noise impacts associated with the proposed replacement hotel, both for occupiers of the development and the occupants of adjacent properties. It is unclear whether the hotel would provide entertainment or amplified music, but the bar and restaurant area where such activity could

take place would be located on the Promenade side of the building which is much more active than the other surrounding streets. Given the nature of existing businesses, the area has a lively and active character and background noise levels are a lot higher than would be experienced in a traditional residential area. As such the development of the site as a hotel and ancillary facilities is not anticipated to have an unacceptable impact on the amenities of nearby residents and visitors as a result of activities associated with a hotel. In terms of noise for future hotel guests, internal and façade insulation and mechanical ventilation would be sufficient to prevent nuisance.

- 7.4.8 In terms of fixed plant, detailed information is not known other than it would be located on the roof within a louvered enclosure. The details of mechanical ventilation and flues could be agreed by condition to prevent unacceptable levels of noise or odour or cause any other unacceptable impacts on local amenity.
- 7.4.9 Refuse would be stored internally other than on the day of collection, where it would be placed in a temporary holding area adjacent a proposed loading bay on Woodfield Road. Subject to a condition agreeing some screening, these arrangements are considered to be acceptable.
- 7.4.10 Inevitably, there would be noise and disruption during the construction works and it is acknowledged that properties nearby have already experienced noise and disruption whilst the site was cleared. This is unfortunate, but necessary if any redevelopment and regeneration is to occur in Blackpool. A Construction Management Plan (CMP) has been submitted but presents issues which cannot be resolved until such time a contractor has been appointed and assessed the site. Consequently a condition requiring the submission of a CMP is necessary and the condition would stipulate the hours of construction recommended by Environmental Protection Officers. In terms of amenity, subject to the development being constructed in accordance with an approved Construction Management Plan, noise, nuisance and disruption would be kept to a minimum during the construction phase.
- 7.4.11 Subject to the use of conditions, given the proposal's siting, scale, design and relationship with neighbouring properties, it is considered that the proposed hotel would not result in unacceptable harm to the amenities of existing residents or hotel guests during the operational phases of the development.

7.5 Green Infrastructure and Biodiversity

- 7.5.1 NPPF para 136 confirms that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning decisions should ensure that opportunities are taken to incorporate trees in developments and that appropriate measures are in place to secure the long-term maintenance of newly-planted trees. Para 180 states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value and soils, and recognising the wider benefits from natural capital and ecosystem services of trees and minimising impacts on and providing net gains for biodiversity
- 7.5.2 Policy CS6 confirms that high-quality and well connected networks of green infrastructure in Blackpool will be achieved by creating new accessible green infrastructure as part of new development and supporting urban greening measures within the built environment. CS6 confirms that all development should incorporate new or enhance existing green

infrastructure of an appropriate size, type and standard. Where on-site provision is not possible, financial contributions will be sought to make appropriate provision for open space and green infrastructure. Policy CS7 requires new development in Blackpool to provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development.

- 7.5.3 Policy CS11 only permits development where existing infrastructure, services and amenities are already sufficient, or where the developer enters into a legal undertaking or agreement to meet the additional needs arising from the development. Where appropriate, planning contributions will be sought in connection with a development to ensure that development provides necessary infrastructure. Policy DM17 expects proposals to contribute towards green and blue infrastructure and to use landscaping to screen and soften the appearance of hard surfaced areas and where appropriate, contribute towards tree planting in the town. Financial contributions towards creating and enhancing green and blue infrastructure in Blackpool should be sought from all development where adequate onsite provision is not possible, in accordance with the Greening Blackpool SPD.
- 7.5.4 A Landscaping Strategy has been submitted which explains that the landscaping and public art scheme have been inspired by the sea waves, sand ripples and structures such as the Tower and the roller coasters. Benches would be incorporated into the landscaping along the Promenade pavement edge surrounded by coastal plants. Lighting would be included to link to the illuminations, including cut out lighting columns, lighting under benches and within curved edge 'wave' planters. Three public art elements are proposed, which would make cultural references to Blackpool with sculptural elements on the site frontage, through collaboration with the local community and local artists. Indicative details suggest the public art elements would reference the Tower, fairground rides and introduce a sculptural wayfinding feature. Details of public art and lighting could be agreed by condition.
- 7.5.5 In terms of planting, 'waves' of species would be used across the site using contrasting colours, textures, heights and shapes which would provide visual interest, biodiversity benefits and assist with catching and storing surface water. A more detailed landscaping scheme including the location of planting, species specifications, planting densities and maintenance details could be agreed by condition.
- 7.5.6 In terms of tree planting, the Greening Blackpool SPD requires a tree for each 100sqm of floorspace. A total of 5,773sqm of internal floorspace is proposed which generates a requirement for 58 trees in total. Approximately 15 trees are proposed to be planted on site which is a shortfall of 43 trees. Where trees cannot be planted on site, a contribution of £1,000 per tree (£43,000 in this case) would normally be required towards off site tree planting. However, the SPD does allow for negotiation depending on other innovative greening measures.
- 7.5.7 The site was previously completely sealed with no landscaping features and some of the trees would require planting in complex tree pits with integral irrigation systems and secured with concealed ground anchors. They would have a high maintenance regime whilst they establish in this hostile seafront environment. Initial costings have been submitted by the applicant and the soft landscaping and tree planting alone would cost in excess of £52,000 and would cost around £4,000 per annum in maintenance. Initial costs of the landscape lighting scheme come in at around £22,000.
- 7.5.8 Officers are in agreement that the on-site provision of trees and green infrastructure in this challenging location, alongside good quality hard and soft landscaping and lighting would

constitute the innovative greening measures that the SPD allows for as an alternative to off-site tree planting contributions. As such, it is recommended that off-site tree planting contributions are not pursued in this instance.

- 7.5.9 Mandatory biodiversity net gain does not apply for applications for major development which were submitted before 12th February 2024. Nevertheless, Policy DM35 expects development to provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist in line with relevant legislation and guidance.
- 7.5.10 The site has been completely cleared and currently has negligible benefits for biodiversity. The previous building on the site was surveyed for bats in early in 2023, prior to demolition and no bat activity was observed in the building or in the immediate area.
- 7.5.11 As noted above, the proposal would include landscaping and tree planting, and the range of species identified would attract pollinators and enhance the ecological value of the landscaping. The Design and Access Statement commits to providing bird and bat boxes and a Landscaping Strategy confirms that bird and bat boxes would be integral to the building, rather than being 'stuck on'. Given the high quality and consistent design of the building, 'stuck on' off the shelf standard surface mounted bird and bat boxes would be undesirable. The design and location of bird and bat boxes could be agreed by condition to provide biodiversity benefits without compromising the design aesthetics of the building.
- 7.5.12 The development proposed does not fall within one of the development categories which could potentially have adverse impacts on International, national and locally designated sites of importance for biodiversity. As such, no Habitats Regulation Assessment or Appropriate Assessment has been undertaken or submitted.
- 7.5.13 Subject to conditions, the site would provide sufficient tree planting and innovative green infrastructure which would provide both amenity and biodiversity benefits and would contribute to Blackpool's wider urban greening ambitions.

7.6 Flood Risk and Drainage

- 7.6.1 The NPPF confirms that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and should not increase flood risk elsewhere.
- 7.6.2 Whilst part of the application boundary along the Promenade falls within Flood Zone 3, the building itself would be in Flood Zone 1. Nonetheless, a hotel is categorised as 'more vulnerable' in the flood risk vulnerability classifications and the application is therefore supported by a Flood Risk Assessment (FRA). The FRA confirms that the building frontages would be set back from the Promenade and the front of the building would not extend further forward than the previous building, or be any closer to the area of increased flood risk. The proposals include the erection of a ramp at the front of the building and there are escape routes to the rear which are not in areas at increased flood risk and all hotel bedrooms are on upper floors. The FRA confirms that the site is at 'very low' risk of surface water flooding, low risk for groundwater flooding and low risk of flooding as a result of infrastructure failure.
- 7.6.3 No compliance with the sequential or exceptions tests has been demonstrated in the FRA. However the site is within the Resort Core which is the focus of Blackpool's future growth,

development and investment, including new visitor accommodation. Even if sequentially preferable sites which are wholly within flood zone 1 were available for the development proposed, the Council would nevertheless support development on the application site given its prominence on the Promenade and within the Resort Core, in order to secure the regeneration benefits that would come from bringing it back into active, beneficial use. On this basis, it is not considered necessary or reasonable to expect the developer to undertake a full sequential appraisal. The regeneration and sustainability benefits of the scheme are considered to be sufficient to outweigh the identified flood risk and so the scheme would pass the first part of the exceptions test. As the submitted FRA is considered to be acceptable, and, as the proposed development would be made safe from flood risk for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere (discussed below), the second part of the exceptions test is met. As officers have undertaken this assessment, no additional work on the part of the applicant is considered necessary.

- 7.6.4 In terms of ensuring that the development does not increase flood risk elsewhere, the NPPF, NPPG and Policies CS9 and DM31 require surface water from development to be discharged via the most sustainable drainage option available. On previously developed sites applicants should target a reduction from pre-existing discharges of surface water to a target of greenfield rates and volumes so far as reasonably practicable, with a starting point of a maximum of a 30% reduction in run off rates. DM31 states that all new development should include the use of sustainable drainage systems where appropriate and should reduce areas of existing impermeable surfaces.
- 7.6.5 The site was previously completely sealed with no landscaping and most of the surface water was discharged into the combined sewer underneath Bolton Street. The proposed indicative drainage strategy confirms that the development would drain into the Bolton Street and Woodfield Road combined sewers. However, surface water would be held on site in an underground attenuation tank and discharged to those sewers at a rate of 5l/s for all storm events, which is a 60% betterment over the previous development. The introduction of tree planting and landscaping would also assist in storing and slowing the flow of surface water.
- 7.6.6 United Utilities are accepting of the drainage strategy and have requested the imposition of their standard conditions relating to its' implementation and ongoing maintenance and management. Subject to the imposition of appropriate conditions, no unacceptable flood risk or drainage issues are identified.

7.7 Access, highway safety and parking

- 7.7.1 Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 113 states that all developments that would generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a Transport Assessment so that the likely impacts of the proposal can be assessed. The application is supported by a Framework Travel Plan and a Transport Assessment.
- 7.7.2 Policy CS5 relates to connectivity and commits to changing travel behaviour by pro-actively working with developers and other organisations to increase the proportion of journeys that use sustainable transport.

- 7.7.3 Policy DM41 sets out the transport requirements for new development and refers to Appendix G1 which sets out the coach and parking standards. The parking standards are guidance and Appendix G1 confirms that provision will be discussed and agreed on a case by case basis.
- 7.7.4 The St Chads hotel previously had 40 spaces accessed off the Promenade and Woodfield Road, some of which were double stacked and not particularly useable, with cars overhanging and reversing over the footpaths which was undesirable. The Lyric hotel had 6 double stacked spaces accessed off the Promenade and the Regency holiday flats had 5/6 spaces accessed off St Chads Road (approximately 51 spaces in total). The proposed scheme would result in cars parked to the rear, greatly improving pedestrian safety on the Promenade.
- 7.7.5 There were approximately 110 hotel bedrooms previously (95 in St Chads, 15 in the Lyric) and 17 holiday flats in the Regency which works out at around a 40% provision. Many of these parking spaces were substandard in both length and width and double stacked.
- 7.7.6 The application proposes 28 car parking spaces and two motorbike spaces to the rear of the site to serve the 143 bedrooms (20% provision). Three of the car parking spaces would be accessible spaces and four would be serviced by EV chargers). The car parking standards suggest that hotel development should have one car parking space per room plus coach parking. On a significantly constrained site such as the application site, there is no opportunity for hotel development to provide one car parking space per bedroom plus coach parking. However, on site provision can be significantly reduced given how accessible the site is and public car parking is available in the wider area, including along Seaside Way to the east. The future connection of Blackpool North train station to the tram network would further improve accessibility.
- 7.7.7 The Framework Travel Plan and Transport Assessment state that the hotel would implement a priority car parking booking system that would ensure that those who need to park on site due to reasons such as, having small children or additional access requirements, are able to book a space as part of their room booking process. If there are no parking spaces available or if guests do not need to park on site, the hotel would provide a map of the local area, indicating car parks, charges, and how they can be paid for and booked. Bus and tram timetable information would also be provided. These measures would ensure that visitors who do chose to drive would not spend prolonged periods of time driving around the local area looking for on-street parking spaces, which is one of the concerns raised as part of the public consultation.
- 7.7.8 Hotel development on the Promenade with few parking spaces is not unusual. For comparison, in 2019 Committee approved a 97 bed hotel with 10 parking spaces (10% provision) at 429-437 Promenade (ref: 19/0056). The Head of Highways and Traffic Management has reviewed the information submitted and has raised no objections with regard to parking. On this basis the parking provision on site is considered to be acceptable.
- 7.7.9 A loading bay is proposed on Woodfield Road for both servicing/refuse collection and coach drop off/pick up. The Service Management Plan confirms that the hotel would introduce a management system so that users of the loading bay would have allocated times slots which should prevent casual servicing and coach drop/pick up in less desirable locations. Coach drivers would be encouraged to call ahead to ensure that the loading bay is clear. However, the Head of Highways and Traffic Management has stated that it would be inappropriate and impractical to reserve the bay solely for the hotel's use. However, St Chads Terrace,

comprised of two hotels, holiday flats and a café, all of which would have been serviced independently of each other and without any formal servicing arrangements. A single hotel use is likely to result in less servicing vehicles visiting the site and a loading bay to facilitate servicing would be beneficial and an improvement on the previous situation.

- 7.7.10 The provision of the loading bay would require off-site highway works such as widening the carriageway to ensure that the larger vehicles can pass a coach or other large vehicle in the loading bay. Other off-site highway works would also be required such as access to the parking area off Woodfield Road, amendments to paving a kerb heights around the site and consequential TRO's.
- 7.7.11 The principal pedestrian access would be from the Promenade with a secondary access to the rear from the car park. There would be covered and secure cycle spaces at the front adjacent to the main entrance and the details can be agreed by condition. There would be changing facilities, showers and lockers for cyclists and associated drying facilities can be secured by condition requiring the submission and agreement of a Travel Plan. Covered storage would also be provided for 11 mobility scooters.
- 7.7.12 The application is supported by a generic Construction Management Plan. However, some issues cannot be resolved until such time a contractor has been appointed and has assessed the site. As such, a condition requiring the submission of a CMP is necessary in order to safeguard highway safety.
- 7.7.13 Subject to appropriately worded conditions, the proposal could be delivered without unacceptable impacts on highway safety or severe cumulative road network impacts.

7.8 Environmental Impacts

- 7.8.1 Policy CS10 of the Core Strategy requires all non-residential developments of 1,000sqm or more to achieve a BREEAM rating of 'very good'. A Sustainability and Energy Statement that includes a BREEAM pre-assessment has been submitted with the application and identifies the proposal as having the potential to achieve the requisite 'very good' rating. A condition should be imposed requiring evidence of compliance to be submitted.
- 7.8.2 Policy DM36 seeks to secure a safe environment for occupants that does not displace contamination and to safeguard controlled water from pollution. Environmental Protection colleagues have raised no concerns regarding contaminated land. Water quality would be safeguarded through a condition requiring the development to take place in accordance with the Construction Management Plan.
- 7.8.3 The site is not in an Air Quality Management Area (AQMA) and no unacceptable impacts on air quality are anticipated during the operational phase if anticipated. No concerns regarding land contamination have been identified. Subject to the adherence to mitigation measures to be detailed and agreed in revised Construction Management Plan which would be secured by condition, water and air quality during the construction phase would be safeguarded.

7.9 Other Issues

- 7.9.1 It is unclear how many jobs were lost when the previous uses ceased trading, or how many jobs are anticipated as a result of the new hotel. However, a hotel of the scale proposed is likely to be a significant employer offering a range of employment opportunities for local

residents during both the construction and operational phases. The proposal will inevitably make a positive contribution to the local economy and this weighs in favour of the proposal.

7.9.2 There is currently a permitted development right for a C1 hotel to be used as a state funded school or nursery. Given the Resort Core designation, the character of the area and how densely built up it is, the use of the hotel as a school, or any other use which may become permitted development in future, would need to be assessed against the development plan. As such, a condition requiring that the property operates as a C1 hotel only and for no other use, including temporary housing, is considered necessary.

7.9.3 The site is within the Aerodrome Safeguarding area but subject to conditions, the relevant consultees have no objections or safeguarding concerns with the proposal.

7.9.4 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).

7.9.5 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.

7.9.6 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.

7.10 Sustainability and planning balance appraisal

7.10.1 Sustainability comprises economic, environmental and social components.

7.10.2 Economically the proposal would regenerate a prominent, vacant site on the Promenade for good quality visitor accommodation and would therefore support the regeneration and improvement of Blackpool as a tourism destination which carries substantial weight in the planning balance. Some limited employment would be generated during construction and some local employment would be created through the operation of the hotel which also weighs in favour of the scheme.

7.10.3 Environmentally, the scale of development in this location is considered to be acceptable and the place-making benefits delivered by the high quality design of the scheme carries substantial weight. No unacceptable impacts on biodiversity, drainage or environmental quality are anticipated. The site is in a very accessible location with good access to a range of sustainable transport options, so there is no reason to assume that staff and guests would be dependent upon private car use. The building would be sustainably designed and managed to BREEAM 'very good' standards and would include tree planting and innovative green infrastructure, which weighs in favour of the scheme.

7.10.4 Socially, the proposed building would have no greater impacts on residential amenity than the previous development on the site in terms of light and privacy. The redevelopment of the site for modern, good quality hotel accommodation would have wider social benefits

through regeneration and employment opportunities. No unacceptable impacts on highway safety are anticipated, no unacceptable issues for flood risk are identified and any less than substantial harm to nearby non-designated heritage assets would be clearly outweighed by the public benefits of the proposal. As the proposed bar/restaurant use would be ancillary to the hotel use proposed, no undue threat to the vitality and viability of the town centre is anticipated.

7.9.5 On this basis and on balance, the proposal is judged to represent sustainable development.

8.0 FINANCIAL CONSIDERATIONS

8.1 The development would generate some business rates but this consideration carries no weight in the planning balance.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

9.1 The Council Plan sets out two priorities. The first is Communities: 'creating stronger communities and increasing resilience' and the second is The Economy 'the economy: maximising growth and opportunity across Blackpool'.

9.2 This application accords with Priority Two of the Plan as it would bring regeneration benefits and introduce a new, good quality hotel chain to the Promenade, improving the visitor experience and the appeal of the resort.

10.0 CONCLUSION

10.1 Overall, the proposal is judged to represent sustainable development that is in accordance with the development plan and the material considerations in this case indicate that 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:

- Location Plan dated 28/11/2023
- Proposed Location Plan ref: P21088-FCH-XX-XX-DR-A-1111 Rev P02 dated 06/02/2024
- Proposed Site Layout Plan ref: P21088-FCH-XX-XX-DR-A-1200 Rev P03 dated 12/03/2024
- Proposed Block Plan ref: P21088-FCH-XX-XX-DR-A-1260 Rev P03 dated 12/03/2024

- Proposed Ground Floor Plan ref: P21088-FCH-XX-00-DR-A-1300 Rev P28 dated 11/03/2024
- Proposed 1st-4th Floor Plan ref: P21088-FCH-XX-01-DR-A-1301 Rev P21 dated 09/01/2024
- Proposed 5th Floor Plan ref: P21088-FCH-XX-01-DR-A-1305 Rev P17 dated 09/01/2024
- Proposed Roof Plan ref: P21088-FCH-RF-06-DR-A-1306 Rev P05 dated 23/11/2023
- Proposed Promenade Elevation ref: P21088-FCH-XX-XX-DR-A-1400 Rev P19 dated 09/01/2024
- Proposed Woodfield Road Elevation ref: P21088-FCH-XX-XX-DR-A-1401 Rev P17 dated 09/01/2024
- Proposed St Chads Road Elevation ref: P21088-FCH-XX-XX-DR-A-1402 Rev P13 dated 09/01/2024
- Proposed Bolton Street Elevation ref: P21088-FCH-XX-XX-DR-A-1403 Rev P10 dated 09/01/2024
- Landscape Plan ref: 5277 02 Rev B dated 02/2024
- Hard Landscaping Layout ref: 5277 03 Rev A dated 07/2023
- Landscape Cross Sections ref: 5277 04 dated 07/2023

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 a) Unless otherwise agreed in writing prior to the commencement of the development, the drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted Foul & Surface Water Drainage Design Drawing C21522-HYD-XX-XX-DR-C-0500, Rev P03 - Dated 10-11-23 which was prepared by Hydrock. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the agreed drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

Reason: To promote sustainable development, secure proper drainage of sewage and surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document and the Blackburn, Blackpool and Lancashire Flood Risk Management Strategy.

- 4 Prior to commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Site Management Company;

- b) Evidence of arrangements to transfer responsibility to other parties in the event of the demise of any management company, for example by means of covenants;
- c) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:
 - (i) on-going inspections relating to performance and asset condition assessments
 - (ii) operational costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- d) Means of access for maintenance and easements where applicable.

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 5 (a) Prior to the commencement of any development on site, a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the Construction Management Plan shall specify the provision to be made for the following:
- 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;
 - measures to control noise emanating from the site during the construction period;
 - hours and days of construction work for the development shall be between:
 - Mon - Friday - 8am - 6pm
 - Saturday 9am - 1pm
 - Sunday and bank holidays - no working
 - 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. Site specific details should be superimposed on the site plan;
 - provision for all site operative, visitor and construction loading, off-loading, parking and turning within the site during the construction period including all requirements for occupation of areas of highway;
 - arrangements for the provision of wheel washing facilities with sump/draaing details, comprising a 10m x 3.5m wheel wash with two 6m long ramps to be operated during

the construction period to minimise the deposit of mud and debris on the adjacent highways

- 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;
- measures to prevent contamination of surface and sub-surface water bodies during the construction period, and prevent the runoff of surface water to the highway in storm conditions during construction. Any pumping from sumps will first be agreed with the local Planning authority;
- construction phase site access, routing of construction traffic and traffic management;
- 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 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 highway safety 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, DM35, DM36 and DM41 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.

- 6 Prior to the commencement of development 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:

- Construction of a permanent access to the parking area
- Amendments to paving and kerb heights on frontages
- Works to improve the northern radius at the junction of the Promenade and Woodfield Road
- Works to facilitate the introduction of a loading bay
- Consequent Traffic Regulation Orders
- Consequent or temporary amendments to street lighting

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.

- 7 The hotel hereby approved shall be serviced in accordance with the Service Management Plan ref: 21522-HYD-XX-XX-SMP-TP-1001-P07 dated 11/03/2024 by Hydrock and the mitigation measures therein unless otherwise agreed in writing with the Local Planning Authority

Reason: In the interests of highway safety, the appearance of the site and the locality and residential and visitor amenity, in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM36 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document 2012-2027.

- 8 Prior to the development hereby approved being first brought into use, the parking provision, including EV charging spaces, accessible spaces and motorbike spaces and associated markings shown on the approved plan(s) shall be provided 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.

- 9 (a) The development hereby approved shall not be occupied until a Travel Plan has been submitted to and agreed in writing by the Local Planning Authority. The Travel Plan shall be based on the submitted Framework Travel Plan ref: 21522-HYD-XX-XX-FTP-TP-6002-P06 dated 11/03/2024 by Hydrock and in addition shall include details of a drying room/facility for wet clothing to complement the facilities for cyclists/pedestrians.

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

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy 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.

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

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

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

Reason: In order to encourage travel to and from the site by a sustainable transport mode in accordance with Policy 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.

11 (a) Prior to the first occupation or use of the development hereby approved the landscaping scheme shown on plan ref 5277 02 Rev B dated February 2024 and shall be implemented in full and in full accordance with the approved details;

(b) Notwithstanding (a), prior to the commencement of any above ground construction, an updated Landscape Strategy Document shall be submitted to and agreed in writing with the Local Planning Authority and shall include a full planting specification including species types and planting numbers and densities. Tree planting specifications should also include the provenance of the tree species and the soil types to be used;

(c) The development shall thereafter proceed in full accordance with these approved details and shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority;

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

Reason: To ensure that the site is satisfactorily and robustly landscaped in the interests of visual amenity, biodiversity and climate change mitigation 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 DM10, DM17, DM20, DM21, DM31 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

12 No rain water goods, soil pipes or vents shall be installed on the Promenade, St Chads Road or Woodfield Rod elevations unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance, design and architectural quality of the building in a very prominent Promenade position, in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM10, DM17 and DM19 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 13 Details of the public art features indicated in the Design and Access Statement and Landscape Strategy Document shall be submitted to and agreed in writing by the Local Planning Authority. The agreed public art scheme shall be provided in full prior to the development hereby approved, first being brought into use and shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of this prominent site and visual interest on the Promenade in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM10, DM17, DM19, DM21 and DM25 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies document 2012-2027.

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

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM10, DM17 and DM19 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17 and DM19 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

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

Reason: In the interests of the appearance of the site and streetscenes in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM10, DM17 and DM19 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 17 Prior to first use;
- (a) details of any ventilation system, flue or external plant, including positioning, appearance, materials and technical specification, shall be submitted to and agreed in writing by the Local Planning Authority; and
- (b) the ventilation system, flue and external plant approved pursuant to part (a) of this condition shall be implemented in full accordance with the approved details and shall thereafter be retained and maintained as such.

Reason: In the interests of the appearance, design and architectural quality of the building in a very prominent Promenade position and in order to safeguard the amenities of nearby visitors and residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM10, DM17, DM19 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 18 (a) The development hereby approved shall proceed in full accordance with the submitted Energy Statement and BREEAM Report prepared by Hydrock and dated 27 June 2023 ref:21522-HYD-XX-XX-RP-Z-0001 unless an alternative assessment is first submitted to and agreed in writing by the Local Planning Authority;
- (b) 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.
- (c) The development shall thereafter proceed and be operated in full accordance with the approved BREEAM 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.

- 19 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 Policies DM10, DM17, DM19 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 20 (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, location and design of integrated bird and bat boxes

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 21 Before the development hereby approved is first brought into use the refuse storage shown on plan ref. Proposed Site Layout Plan ref: P21088-FCH-XX-XX-DR-A-1200 Rev P03 dated 12/03/2024 shall be provided and shall thereafter be retained and maintained as such.

Before the development hereby approved is first brought into use, details of the refuse holding area to include size, design, materials and any enclosure shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details for the refuse holding area shall be implemented in full and in full accordance with the approved details and shall thereafter be retained and maintained as such.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents and visitors in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM10, DM17 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 22 Prior to installation of glazing to the hotel bedrooms, details of obscure window film to be applied to the lower section of these windows on each floor 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 level of obscurity, the amount of the windows to be covered and design (pattern) to be applied.

Reason: In the interest of the appearance of the site and locality and in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM10, DM17 and DM19 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the premises shall be used as a C1 hotel only and for no other purpose, including temporary housing.

Reason: In order to adequately assess the impacts of alternative uses against the development plan and to safeguard the character, role and function of this part of the Promenade and Resort Core within the Inner Area, in accordance with Policies CS12, CS21 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies Policies DM10 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

ADVICE NOTES TO DEVELOPERS

1. 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'

2. This site falls within the identified safeguarding area for Blackpool Airport. As such, your attention is drawn to the following advice notes:
 - <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-1-Aerodrome-Safeguarding-An-Overview-2016.pdf>
 - <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-2-Lighting-2016.pdf>
 - <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>
 - <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf>
 - <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-5-Renewable-Energy-2016.pdf>

For further information and advice, please contact safeguarding@blackpoolairport.com

3. Condition 11:

Trees to be planted in this harsh marine environment must be hardened/suitable for the location for example, a Maritime pine should be sourced from a nursery which can provide the correct provenance suitable for the site as *Pinus pinaster* subsp. *atlantica*, which grows in European countries to 600m (preferably from the Landes region of France), would be suitable, but the *Pinus pinaster* subsp. *pinaster* grows at 2000 m in the warmer regions of inland Spain, Morocco, and the Mediterranean basin, would not be suitable. Coniferous trees need to be planted in acidic soils.

23/0848 – St Chads – plans

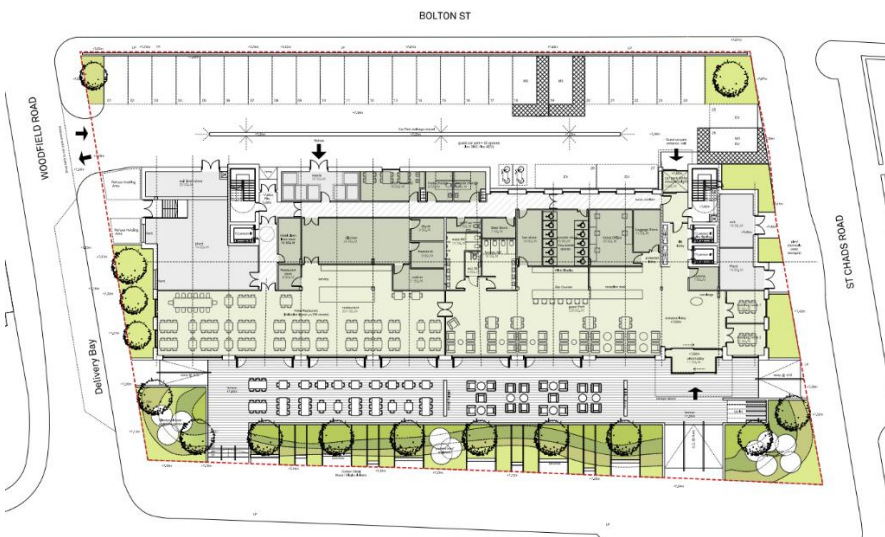
Location plan:



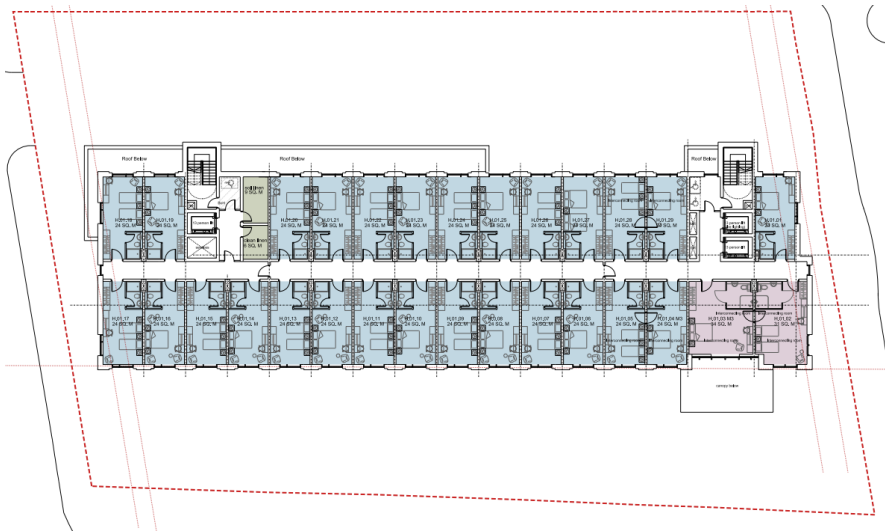
Proposed site layout plan:



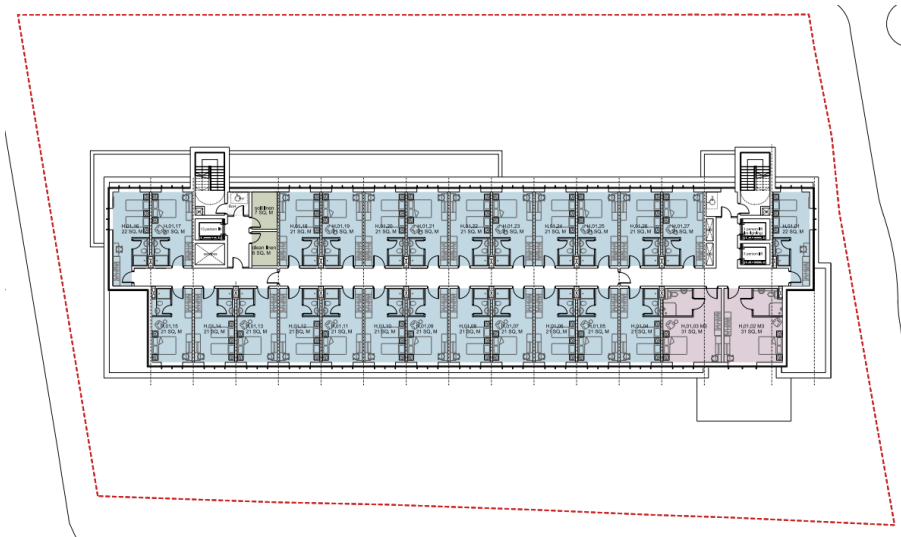
Ground floor plan:



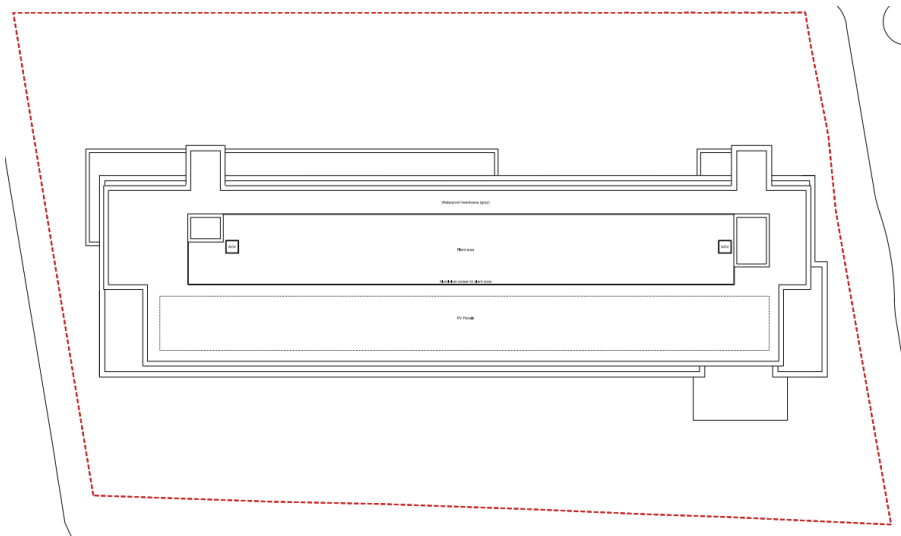
First – fourth floor plan:



Fifth floor plan:



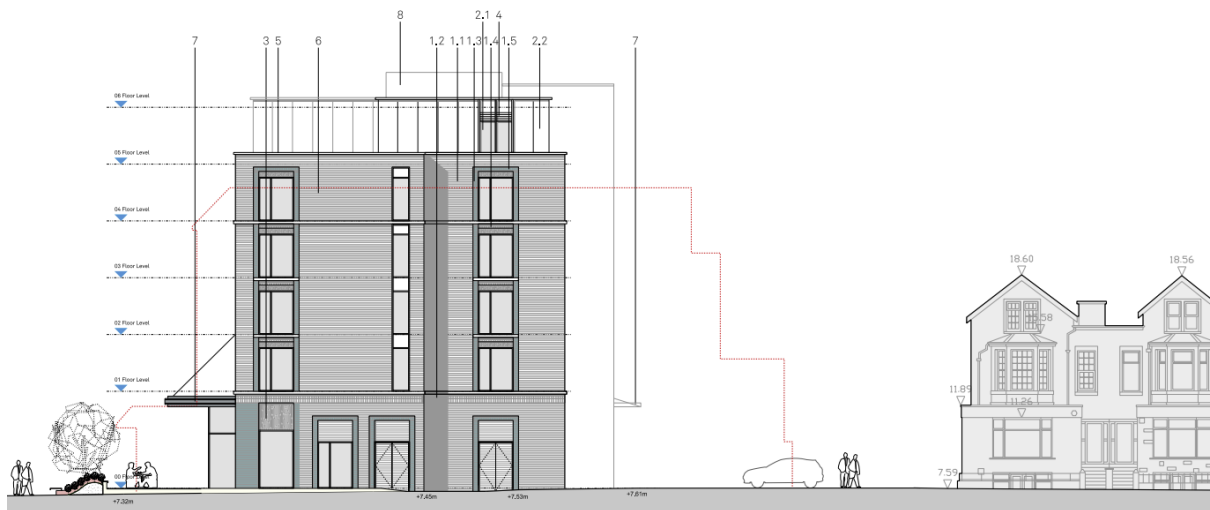
Roof plan:



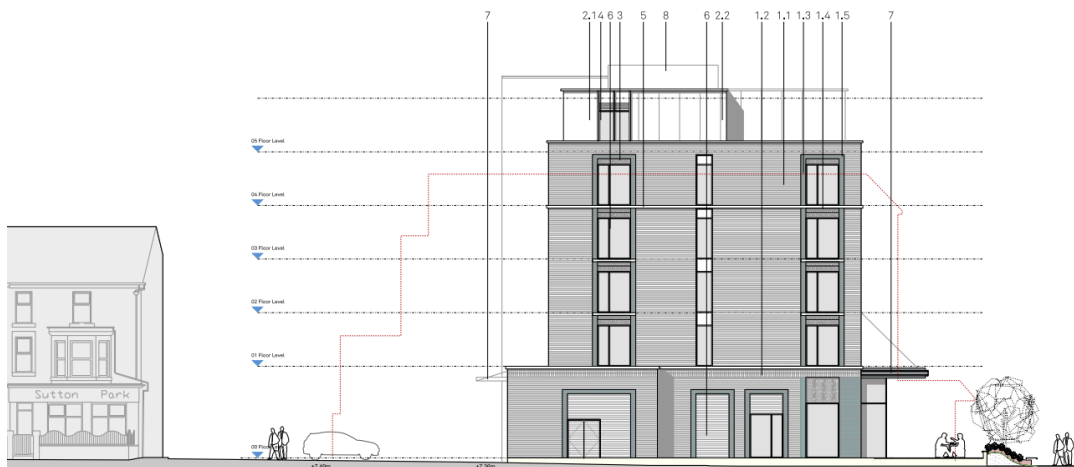
Proposed Promenade (west) elevation:



Proposed St Chads Road (south) elevation:



Proposed Woodfield Road (north) elevation:



Proposed Bolton Street (east) elevation:



Landscaping:



Visual Promenade looking south:



Visual streetscene:



Visual streetscene:



**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	23/0824
Ward:	Brunswick
Application type:	FULL
Location:	Blackpool Youth and Community Centre (Boys and Girls Club), Victory Road, Blackpool, FY1 3HP
Proposal:	Erection of a single storey building for use as a community centre with associated soft landscaping and boundary treatment following demolition of existing building.
Recommendation:	Approve subject to conditions
Recommendation Summary:	The scheme proposes the redevelopment and improvement of existing community facilities and has been amended since submission to improve the appearance of the development and incorporate appropriate green infrastructure and sustainable transport provision. As such, the recommendation for this application is for approval.
Meeting date:	9 April 2024
Reason for bringing to Committee:	The scheme has been submitted by the Council.
Case officer:	Bethany Thornton
Case officer contact:	01253476312

1.0 SITE DESCRIPTION

- 1.1 The land bounded by Victory Road, Counce Street, Gorton Street, and George Street is occupied by an existing childrens' centre, covered MUGA, outdoor children's play facilities, and car parking. The section of the site the subject of this application is occupied by a single storey modular cabin and a hard surfaced external area enclosed by mesh fencing. It was granted permission on a temporary basis however has remained in situ longer than applied for and has exited now for over 10 years. The site also includes a car park accessed from Victory Road accommodating 21 car parking spaces including 2 disabled spaces.
- 1.2 The site falls within the defined inner area boundary, the TABINI neighbourhood area, and the airport safeguarding consultation area. The land is also recorded as being owned by the Council.

2.0 PROPOSAL

- 2.1 Demolition of existing single-storey building; if possible the existing building will be removed and relocated to an alternative site, however if this is not possible demolition of the building is proposed.
- 2.2 Erection of a 21m x 15m single-storey building for use as youth club. The walls of the building would be brickwork with sections of timber cladding and panels of green walls and artwork. The windows and doors would have external shutters, the housing of which would

be hidden within the lintels. It would be surrounded by hard surfacing with some areas for planting and enclosed by green mesh fencing.

2.3 The application has been supported by:

- Design and Access Statement
- Bat Scoping Survey
- Demolition Statement
- Demolition Works Risk Assessment and Method Statement
- Phase 1 Environmental Desk Study

3.0 RELEVANT PLANNING HISTORY

3.1 **23/0686** - Removal of existing sports barn and provision of a MUGA (Multi-Use Games Area) including polymeric surface, fencing, LED floodlighting, and ancillary equipment to existing sports arena. – Live application

3.2 **07/0183** - Temporary siting of single storey pre-fabricated building adjacent to Sports Barn to form community and office facility for period of three years and formation of car parking areas accessed from Victory Road. – GTD

3.3 **06/0989** – Temporary siting of single storey pre-fabricated building adjacent Sports Barn to form community and office facility for period of three years and erection of 2m high boundary fencing and associated landscaping. – GTD

3.4 **02/1011** – (Outline) – Erection of 3 detached buildings to form a Sure Start facility incorporating Community Health Centre, Community Hall and nursery with covered multi-use games area, play areas and associated parking and public open space works. – GTD

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 8 Promoting healthy and safe communities
- Section 11 Making Effective Use of Land
- Section 12 Achieving well-designed places

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:

- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS10 Sustainable Design and Low Carbon and Renewable Energy

- CS12 Sustainable Neighbourhoods
- CS15 Health and Education

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

4.4.1 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
- DM21 Landscaping
- DM31 Surface Water Management
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM37 Community Facilities
- DM41 Transport Requirements for New Development
- DM42 Aerodrome Safeguarding

4.5 Other Relevant documents, guidance and legislation

4.5.1 Talbot and Brunswick Integrated Neighbourhood Improvement Area NPG (June 2006) concerns improving the local neighbourhood and how wider planning policies should be applied in shaping the future of the neighbourhood.

4.5.2 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.

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

4.5.4 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.

4.5.5 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.

4.5.6 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.

4.5.7 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government's clear intention is a material planning consideration. The Council

will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

5.0 CONSULTEE RESPONSES

5.1 **Head of Highways and Traffic Management** – No objections.

5.2 **Environmental Protection (Contaminated Land)** –

5.2.1 Initial: The Phase 1 shows there is a likelihood of contamination being present with a low to medium risk. A Phase 2 is requested to ensure that there is not a significant likelihood of significant harm to sit workers and site users.

5.2.2 05/02/2024: The work should be carried out in accordance with the recommendations in the submitted Phase 2 report.

5.3 **Council Drainage Officer** – No comments received.

5.4 **Property and Asset Management** – No issues.

5.5 **Blackpool Airport** – No comments received.

6.0 REPRESENTATIONS

6.1 Press notice published: N/A

6.2 Site notice published: 23/11/2023

6.3 Neighbours notified: 21/11/2023

6.4 An anonymous representation has been received however as no address was provided the comments cannot be formally considered.

7.0 ASSESSMENT

7.1 Principle

7.1.1 The section of the site on which the building is proposed is identified by Policy CS6 of Part 1 as open space. The policy sets out that open space, sports and recreational buildings and land will be protected unless the requirements of paragraph 74 of the NPPF are met. This policy refers to paragraph 74 of the 2012 version of the NPPF which has been replaced by paragraph 99 in the current version of the NPPF. The requirements it sets out are that (a) an assessment has been undertaken which has clearly shown the open space, building or land to be surplus to requirements, (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in a suitable location, or (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

7.1.2 The proposals seek to replace the existing youth club facility with a larger and improved purpose-built facility following the approval of funding from The Youth Investment Fund and growing demand for community facilities in the local area. The existing building is approximately 108sqm and is a pre-fabricated structure, with a relatively large area of hard

surfacing adjacent enclosed by mesh fencing. The new building would be significantly larger, measuring approximately 316sqm and accommodating an activity hall, canteen and activity room, two smaller activity rooms, three office rooms, a kitchen, bathroom facilities including a shower room and laundry room, and various storage rooms. It would extend over the previously vacant area of hard surfacing, however this is not anticipated to be detrimental to the use as there is a MUGA and children's play area on the opposite side of the building for external activities and no green infrastructure would be lost.

- 7.1.3 In light of the above, it is considered that the proposals would satisfy criteria (c) of paragraph 99 of the NPPF and therefore would comply with the provisions of Policy CS6.
- 7.1.4 Policy DM37 concerns community facilities and sets out that the Council will promote sites and encourage opportunities for new community facilities on appropriate sites, in areas where there is an identified shortfall of provision. Proposals for new local community facilities should be located on sites accessible by sustainable modes of travel. The site is already home to a children's centre and covered MUGA and outdoor children's play area, and is in a reasonably accessible location near to the town centre with bus stops on Counce Street to the south and Talbot Road to the north. The existing pre-fabricated building on this site is used by the boys and girls club and that they will be relocated into the proposed building, and therefore will not be displaced due to the loss of an existing community facility. The area is known to suffer from high levels of deprivation and so it is anticipated that the improvement of community facilities at the site would deliver significant public benefits.
- 7.1.5 The proposed building would have a footprint of approximately 315sqm, therefore in accordance with the Greening Blackpool Supplementary Planning Document the scheme is expected to provide 4 trees.

7.2 Amenity

- 7.2.1 The site is opposite existing residential dwellings on Victory Road, but the existing use of the site as a whole is already as a commercial and community use with elements of both indoor and outdoor recreation. It is not anticipated that the erection of the proposed use centre would increase the activity levels and noise generation to a significant extent compared to the existing activity. The erection of the building would mean that more activities could take place inside and would be less likely to generate excessive noise than use of the existing external hardstanding adjacent to the existing building.
- 7.2.2 The building would be a single storey and sited approximately 20m from the front elevation of the nearest dwelling and there is not an excessive amount of glazing proposed in the front elevation. As such, it is not anticipated to cause any unacceptable overshadowing or loss of privacy.
- 7.2.3 A demolition statement has been submitted which sets out that the anticipated timescale of the demolition is four weeks and the demolition work will be carried out between 8am and 5pm Monday-Fridays and between 8am and 12pm on Saturday with Council permission, with no works on Sundays, bank holiday, or public holidays. The statement sets out measures to mitigate noise, vibration and dust and safety measures to segregate the work from areas accessible to the public. Considering the location of the site adjacent to residential properties it is considered that these measures are appropriate.

7.3 Visual Impact

- 7.3.1 As existing the site is occupied by structures which vary significantly in appearance: a two-storey brick building with rendered accents, panelled cladding at first floor, and pitched grey roofing; a large covered MUGA; and a single storey modular cabin. The scheme would remove the cabin and site a single storey permanent building, which in itself would improve the appearance of the site as temporary modular units often detract from the appearance of a site and the street scene. The building would be a single-storey and use red brick to tie in with the existing building on the site, and in response to office concerns areas of timber cladding and sections of green wall have been included. The cladding and greenery would help to break up the expanse of brickwork and give the building some visual interest and dimension, as well as identifying the entrance. The number and siting of windows would present an appropriately active frontage on each side of the building.
- 7.3.2 The inclusion of green walls would help to enhance the biodiversity of the areas as well as soften the appearance of the building and its transition from the street. In addition to the green walls there would be soft landscaping and planting along the frontage of the site to enhance the appearance of the site within the street scene and create a visual and physical buffer between the building and the street. A planting bed is also proposed to the rear of the site which would have limited impact on the street scene but would be visible from within the site and the existing buildings to the rear.
- 7.3.3 The existing mesh fencing along the front boundary is proposed to be retained, and fencing to match is proposed to be erected along the other boundaries. Whilst a tall boundary treatment adjacent to the public highway is not ideal, it is understood that it serves a security purpose and reflects what is there already. The mesh fencing would allow views through to the building and the soft landscaping on the inside whilst protecting the planting beds. Overall it is considered that the proposed fencing can be accepted.
- 7.3.4 Due to security concerns the scheme proposes the inclusion of external shutters which can be closed over all of the windows and doors. Policy DM23 concerns security shutters; it sets out that in particular locations external shutters will not be permitted. The application site does not fall within any of these locations. Outside of these locations shutters will be permitted where they use an open brick bond design or similar to allow oblique views through the property, the housing and mechanisms are integrated sympathetically within the fascia, and the shutter does not obscure architectural features of the building. The proposed shutters would be well integrated into the elevation in that the housing would be installed within the lintels of the windows and doors, meaning that they would not be visible at all when open. When closed they would cover only the windows and doors and would not obscure any other architectural features.
- 7.3.5 The proposed shutters would be solid and so would not accord with the policy which requires a brick bond design. It has been asserted that solid shutters are proposed due to the history of anti-social behaviour in the area including fires started at the adjacent sports barn. It is acknowledged that security can be a concern for any premises and does not necessarily justify proposals which conflict with policy. However, in this case it is acknowledged that the proposed use differs to most uses which would generally seek to install roller shutters (i.e. shops and businesses on a high street) and therefore the principles of Policy DM23 may not be applicable in the same way. The supporting text of the policy sets out that the Council seeks to ensure that shopping frontages remain attractive and welcoming places, not just during the day but also during the evening and night time hours. To this end, the use of brick bond shutters allows for residents and visitors to maintain views into retail and business

premises outside of opening hours so that it is clear what the business offers and encourages visits to the premises during the next opening hours. In the case of the youth centre, there is no need for such engagement from passersby during non-operational hours. On the other hand, whilst the building is not part of a shopping frontage, it is within a residential area and highly visible to the public, unlike industrial estates where solid shutters are generally more acceptable. To strike a reasonable balance, it has been suggested that solid shutters can be accepted but they should be used to enhance the appearance of the building as far as possible. In addition to the housing being well integrated as mentioned above, it has been suggested that the solid shutters could be decorated with artwork which would contribute to the provision of public art in accordance with Policy DM25. A condition would be imposed to ensure that the type of artwork used would be agreed and installed prior to first use of the shutters.

7.4 Access, Highway Safety and Parking

7.4.1 The Council's parking guidance sets out that for meeting places for the principle use of the local community, parking provision should be provided on a basis of 1 parking space for every 26sqm. Based on the floorspace of the proposed building this would be approximately 12 spaces. There is an existing car park to the north of the proposed building with 21 spaces, though it is understood that this is also used by the other buildings on the site therefore it is not clear what that actual ratio is. Nonetheless, the site is in a highly accessible location and due to the nature of the use to support the local community it is anticipated that most users of the facility will be within walking distance of the site.

7.4.2 The site plans show space on site for covered cycle parking within the perimeter fencing for 10 bicycles. The details of this provision including the type of cycle stand and materials for the cover can be secured via condition.

7.5 Other Issues

7.5.1 No drainage or flood risk issues identified.

7.5.2 The proposal would not affect any features of particular ecological interest or trees of significant value. A bat scoping survey has been carried out which concludes that the existing building is considered to have negligible potential to support roosting bats and no evidence of current or historic bat use, therefore no further surveys or mitigation work is required. In accordance with the Greening Blackpool SPD the erection of the new building would generate the requirement for the provision of 4 trees; these have been proposed to be planted within the wider site along Victory Road and George Street and the location, species, and specifications have been approved by the Council's Tree and Landscaping Officer. The scheme also includes additional soft landscaping to the front and rear of the sites with planting beds including appropriate varied species, as well as the use of sections of green wall on the building itself. Overall it is considered that the scheme would contribute positively to biodiversity and local green infrastructure.

7.5.3 A Phase 1 Environmental Desk Study has been carried out which identified potential sources of contamination with a low to medium likelihood of contamination on the site. The study recommends that an intrusive investigation is undertaken and soils used within the upper 600mm of proposed garden areas should be tested for chemical suitability in accordance with a strategy agreed with the LPA. As such, a Phase 2 Study is requested by the Council's Environmental Protection team to ensure there is not a significant likelihood of harm to site workers and users.

- 7.5.4 The Phase 1 Study also recommends that an asbestos and bat survey are undertaken prior to the demolition of the buildings. A bat scoping survey has been submitted, and a risk assessment and method statement for the demolition works has been submitted which specifies the soft-stripping and asbestos removal works and sets out that any site workers involved with the removal of asbestos containing products will have the appropriate training to be able to be alert through the demolition process to the potential presence of any additional asbestos which may have been missed during the asbestos survey works. The assessment details that there are no asbestos containing materials on this site.
- 7.5.5 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).
- 7.5.6 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.
- 7.5.7 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty ("PSED") under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.

7.6 Sustainability and planning balance appraisal

- 7.6.1 Sustainability comprises economic, environmental and social components.
- 7.6.2 Economically, the scheme would have limited impact.
- 7.6.3 Environmentally, the appearance of the scheme would be acceptable and the green infrastructure and implementation of public art in the form of artwork on the shutters would contribute positively to the street scene and surrounding area. The scheme proposes the planting of new trees and appropriate measures to ensure that protected species are not unacceptably affected. No unacceptable drainage impacts are anticipated.
- 7.6.4 Socially, it is not anticipated that the erection of the building or the proposed use would have an unacceptable impact on nearby residents. There is parking available on site and the scheme includes the provision of covered cycle parking to cater to the demographic that would most likely use the facility. Overall the scheme would improve community facilities and enhance community engagement.
- 7.6.5 In terms of planning balance, the development proposed is considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 N/A

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 the second priority as it proposes development which would strengthen community engagement and improve the facilities within TABINI neighbourhood.

10.0 CONCLUSION

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

11.0 RECOMMENDATION

11.1 Approve subject to the following conditions:

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

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

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

Location Plan received by the Council on 14/11/2023 and drawings;

Proposed Site Plan - BYC-CAA-XX-ZZ-DR-A-1100- Rev P3

Proposed Ground Floor Plan - BYC-CAA-V1-01-DR-A-2000 Rev P3

Proposed Roof Plan - BYC-CAA-V1-01-DR-A-2001 Rev P2

Proposed Drainage Plan - 8855/01

Proposed Elevations (Shutters Open) - BYC-CAA-V1-XX-DR-A-2010 Rev P4

Proposed Elevations (Shutters Closed) - BYC-CAA-V1-XX-DR-A-2011 Rev P1

Proposed Shutter Lintel Details - L81-275-100-140-C-B

Proposed Sections - BYC-CAA-V1-ZZ-DR-A-2020 P3

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

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

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

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

- 4 The proposed green mesh metal security fence boundary treatment details on plan ref. BCY-CAA-XX-ZZ-DE-A-1100 Rev P2 shall not exceed the height of the existing mesh metal security fencing (2.4m) at the site and shall match the existing fencing in appearance.

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 (a) Prior to the first occupation or use of the development hereby approved, the landscaping scheme shown on plan ref. BYC-CAA-ZZ-XX-DR-A-1101 Rev P2 shall be implemented in full and in full accordance with the approved details; and

(b) 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 visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 6 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 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.

- 7 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

- 8 Prior to the first use of the solid roller shutters a scheme for the display of artwork on the external side of the solid roller shutters shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall then be implemented in full accordance with these approved details prior to the first use of the shutters and thereafter retained and maintained as such unless first submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17 and DM24 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 9 The demolition and construction of the development shall proceed in full accordance with the details and recommendations of following documents:

- Risk Assessment and Method Statement ref. T23118-01 recorded as received by the Council on 14/11/2023
- Demolition Application Supporting Statement dated 06/11/2023 and recorded as received by the Council on 14/11/2023
- Bat Scoping Survey ref. UES04157/01 recorded as received by the Council on 14/11/2023
- Phase II Geotechnical Study Report ref. 8855/2/24 dated January 2024 and recorded as received by the Council on 31/01/2024

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area 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, to safeguard and enhance the biodiversity of the site 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, and to ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health in accordance with 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.

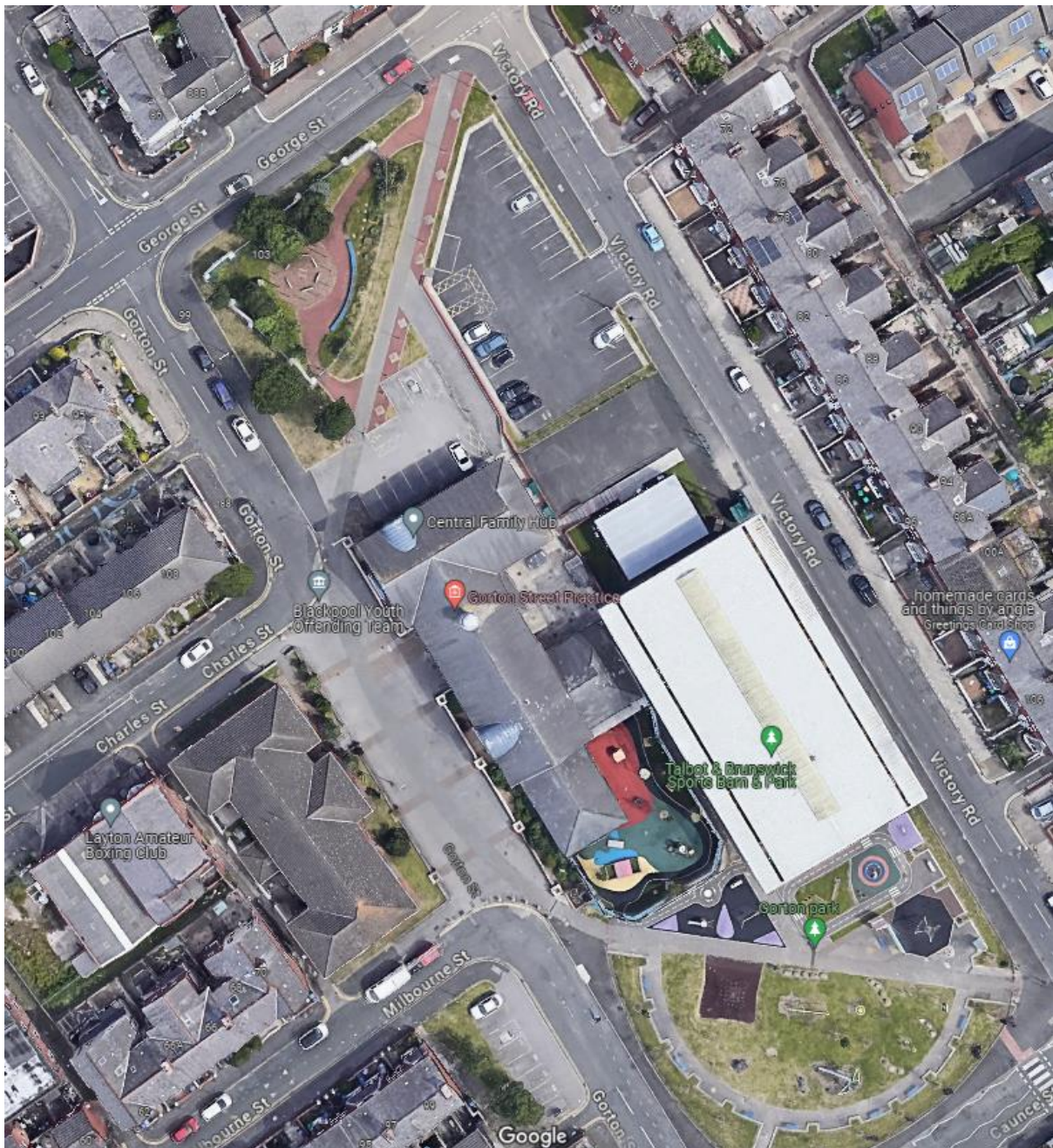
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Appendix 13a Blackpool Youth and Community Centre (Bots and Girls Club), Victory Road

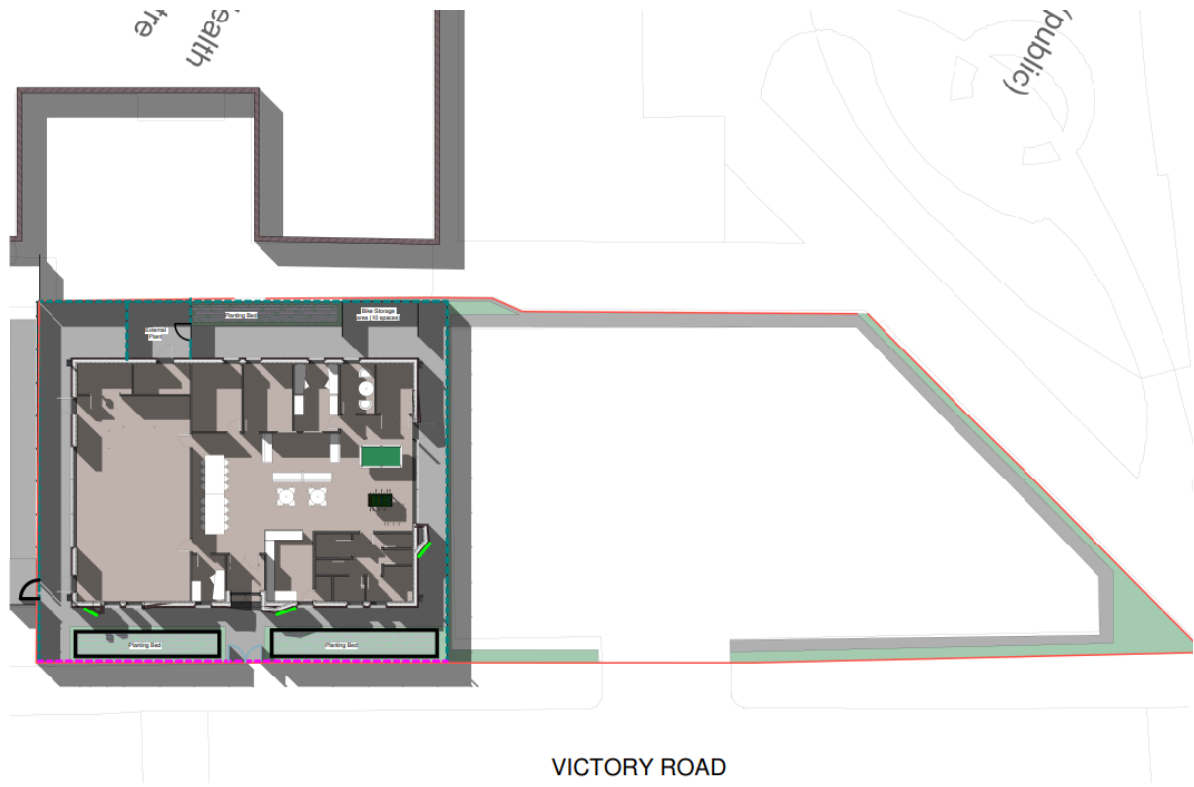
Location Plan



Aerial Image



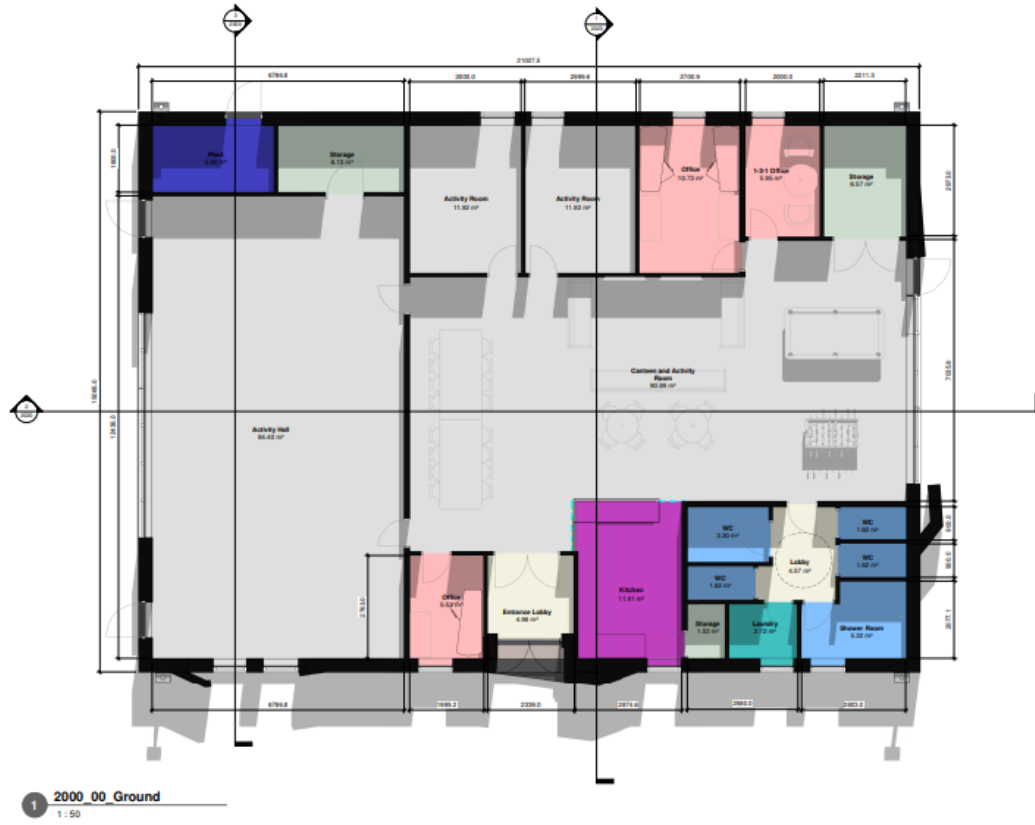
Proposed Site Plan



Proposed Elevations



Proposed Floor Plan



3D Visuals



View from Victory Road



View from Victory Road

Site Photos



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Blackpool Council
Development Management

Officer Report to Committee

Application ref:	24/0029
Ward:	Marton
Application type:	Householder
Location:	
	24 Stanley Park Close
Proposal:	Creation of 2.9m wide vehicle access and installation of gates to East Park Drive elevation.
Recommendation:	Approve subject to conditions
Recommendation Summary:	The alterations to create the private access are considered acceptable and would have no impact on residential amenity. The scheme would be in keeping and have no detrimental impact on the character of the Conservation Area.
Meeting date:	
	9 April 2024
Reason for bringing to Committee:	Following consultation with the Chair of the Planning Committee it is considered that the application is of significant public interest.
Case officer:	Wendy Hoggarth
Case officer contact:	01253 476226

1.0 SITE DESCRIPTION

- 1.1 Two storey detached dwelling within a private access road in front of 22 Stanley Park Close which is accessed off Goldsboro Road. The property has a driveway to the front and a double garage. In front of the property is a small wall with hedge and the other side of the wall/hedge is the pavement area of East Park Drive close to the mini roundabout at West Park Drive junction. There is a lamp post and large tree within the grass verge area. The road is a busy A road and has double yellow lines.
- 1.2 The site is not subject to any specific designations and falls within the landfill gas consultation area and the Stanley Park Conservation Area.

2.0 PROPOSAL

- 2.1 Removal of 3m section of wall/ hedge directly in front of garage and create vehicle access point directly onto East Park Drive. The area would be in-between the lamp post and tree within the grass verge. New wooden gates would be installed across the entrance and brick piers re built to match the existing materials.

2.2 The application has been supported by:

- A Heritage Statement

3.0 RELEVANT PLANNING HISTORY

3.1 90/1864 construction of access onto East Park Drive- Refused 12/02/1991

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 12 Achieving well-designed places
- 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:

- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage

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
- DM20 Extensions and Alterations
- DM21 Landscaping
- DM27 Conservation Areas
- DM35 Biodiversity
- DM41 Transport Requirements for New Development
- DM42 Aerodrome Safeguarding

4.6 Other Relevant documents, guidance and legislation

4.6.1 Extending Your Home Supplementary Planning Document (SPD) – this document was adopted in 2007 and sets out the Council’s standards with regards to domestic extensions.

- 4.6.2 Blackpool Council declared a Climate Change Emergency in June 2019 and are committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030.
- 4.6.3 Greening Blackpool Supplementary Planning Document – this document was adopted in May 2022 and sets out the Council standards with regards to Green infrastructure.
- 4.6.4 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.
- 4.6.5 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.
- 4.6.6 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst this does not apply to householder development, the Council will seek to secure biodiversity gains where practicable in accordance with Section 15 of the NPPF and Policy DM35.
- 4.6.7 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area when exercising planning functions.

5.0 CONSULTEE RESPONSES

- 5.1 Head of Transportation – No objections. The property has sufficient space for a car to be turned within the curtilage and to exit in forward gear so complying with Highways polices. This length of East Park Drive is straight with a wide verge and is covered by parking restrictions. Visibility easily exceeds minimum standards. Pedestrian movements across the road on this section are generally nearer to Halifax Street or Weymouth Road. There is no record of injury accidents in the vicinity of the proposed access. A right turning vehicle would largely be protected by the central hatched area. I do not consider the effect of this proposal on the highway to be in any way severe and there is no reason why the access should have a material detrimental effect on highway safety.
- 5.2 Built Heritage Manager - Although the proposal will create an almost 3 metre gap in the wall, the wall is relatively modern and runs along the length of the rear of the estate. I wouldn't have supported this unless there appeared to be sufficient justification. The gap relative to the length of the wall would cause less than substantial harm to the wall and the character of the Conservation Area. Therefore no objection.
- 5.3 Contaminated Land Officer – No response.
- 5.4 Blackpool Civic Trust – No response.

6.0 REPRESENTATIONS

- 6.1 Press notice published: 06/02/2024
- 6.2 Site notice published: 01/02/2024

6.3 Neighbours notified: 26/01/2024

6.4 2 representations have been received from the following properties:

- 22 Stanley Park Close
- 53 Halifax Street

6.5 These representations raise the following issues:

6.5.1 53 Halifax Street supports the proposal and has no objections

6.5.2 22 Stanley Park Close states no objection to the proposal and does not envisage the design of the proposed wooden gates causing any offence as it simply replaces part of his hedge with gates. The representation then refers to private matters with her neighbour. She also enquires about compensation for any damage to her property and who the works would be undertaken by and how long they would take. The representation also enquires whether there is sufficient space for 2 vehicles and is worried about damage to road users and the public.

6.6 The Committee is respectfully reminded that issues relating to any private issues, damage to property and who would undertake any works and for how long are not valid planning considerations.

7.0 ASSESSMENT

7.1 Principle

7.1.1 There are no planning policies that would preclude the alterations to the property in principle.

7.1.2 The applicant had pre application discussions with both the Councils Heritage Officer and Head of Highways prior to submitting the application to ensure he had their support before submitting his application.

7.2 Impact on residential amenity

7.2.1 The removal of the section of wall/hedge and the formation of the new access/gates would not have any unacceptable impacts on the neighbours' residential amenity and it would reduce the number of vehicles going past the front of the neighbours' property.

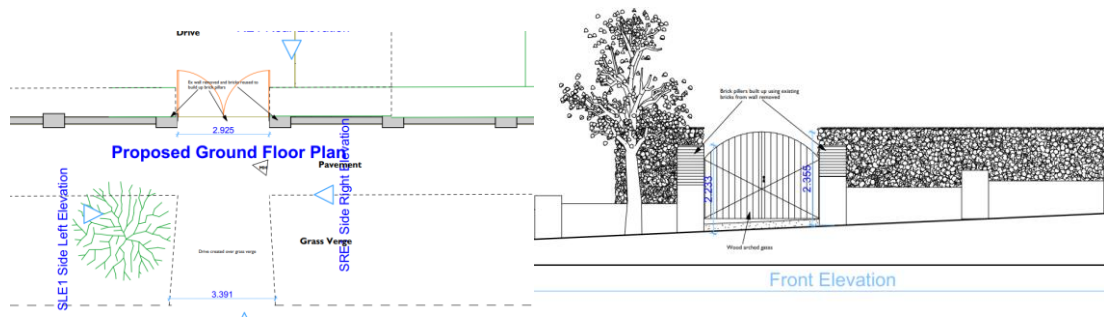
7.3 Design and visual impact

7.3.1 Policy DM27 states that proposals should preserve or enhance those elements that make a positive contribution to their special character or appearance including its setting. Proposals should not have an unacceptable impact on historic street patterns and should retain individual features of interest.

7.3.2 The Stanley Park Conservation Area Management Plan (October 2017) states that all projects will be required to build on the quality inherent in traditional buildings and ensure that new works pay the same attention to the quality of design and materials. Projects within the Stanley Park Conservation Area will be required to have regard to the Council's

Conservation Area Guidance document in order to ensure that the highest standards are achieved.

- 7.3.3 The alterations would be directly in front of the existing double garage. The 3m section of wall/hedge would be removed and the brick piers built up re-using the bricks from the existing wall to enable them to match the existing as best as possible. The new gates would be timber and would open inwards and would have an acceptable appearance.



- 7.3.4 The NPPF explains how proposals affecting heritage assets must be considered. Paragraph 199 is clear that, when considering the impact of development, great weight should be given to the heritage asset's conservation. Paragraphs 200, 201 and 202 then go on to explain how development proposals should be handled where they would result in substantial, significant or less than significant harm respectfully. In this case, the proposal is not expected to result in any harm to the character of significance of the Conservation Area. Subject to a condition which precludes the use of the access as a car parking space, the works are considered to be acceptable.
- 7.3.5 No parking would be lost as a result of the proposal and the turning space would be retained. The Head of Transportation has no objections to the new crossing and as such, no highway issues are anticipated.
- 7.3.6 The development proposed would not result in a substantive increase in hard-surfacing and some soft-landscaping would be retained. A 'no dig' specification for the driveway would protect the adjacent tree. The alterations proposed would fall within flood zone 1 and so there is no requirement for a flood-risk assessment. On this basis, no unacceptable drainage or flood risk issues are anticipated.
- 7.3.7 The proposal would not have any impact on air, land or water quality and there is no reason to suppose that the development would be at undue risk from contamination.
- 7.3.8 In the interests of biodiversity net gain the removed hedge is to be replaced in the rear garden and a new tree is proposed in the rear garden area too. A condition requiring the submission of the details of a no dig driveway specification is necessary in order to safeguard the roots of the adjacent tree.

7.4 Other Issues

- 7.4.1 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).

- 7.4.2 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.
- 7.4.3 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty (“PSED”) under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.

7.5 Sustainability and planning balance appraisal

- 7.5.1 Sustainability comprises economic, environmental and social components.
- 7.5.2 Economically there would be negligible impact and some employment would be generated during construction.
- 7.5.3 Environmentally, environmental quality and biodiversity would not be materially affected.
- 7.5.4 Socially, the scheme would have negligible impact. It would not have any unacceptable impacts on residential amenity and would provide a private access within the site and there would be no adverse impacts with regard to flood risk and highway safety.
- 7.5.5 In terms of planning balance, the development proposed is considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 N/A

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

- 9.1 The Council Plan sets out two priorities. The first is ‘the economy: maximising growth and opportunity across Blackpool’, and the second is ‘communities: creating stronger communities and increasing resilience.
- 9.2 This application is a householder application has negligible impact on the policies and the Council Plan.

10.0 CONCLUSION

- 10.1 In light of the above, Members are respectfully recommended to approve planning permission, subject to the following conditions

11.0 RECOMMENDATION

- 11.1 Approve subject to the following conditions:

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

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

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

Location Plan received by the Council on 26/01/2024
Proposed plans referenced 1281.01.24 PL B.5

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

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

- the surfacing materials
- details and sections of a 'no-dig' driveway specification

The development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and streetscene and to ensure the resulting access is permeable and does not cause damage to nearby trees which have high amenity and biodiversity value in accordance with Policies CS6, CS7, CS8 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM20, DM21, DM27 and DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

4 The access hereby approved shall be used to provide access to 24 Stanley Park Close only and shall not be used as a car parking space.

Reason: In the interests of the appearance of the site and Stanley Park Conservation Area in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM20 and DM27 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 5 The external materials to be used on the development hereby approved shall be as specified on 1281.01.24 PL B.5 unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM20 and DM27 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

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

(a) the landscaping scheme as specified on email dated 15/02/2024 and photos received on 15/02/2024 shall be implemented in full and in full accordance with the approved details; and

(b) 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 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 CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21, DM27 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

- 7 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.

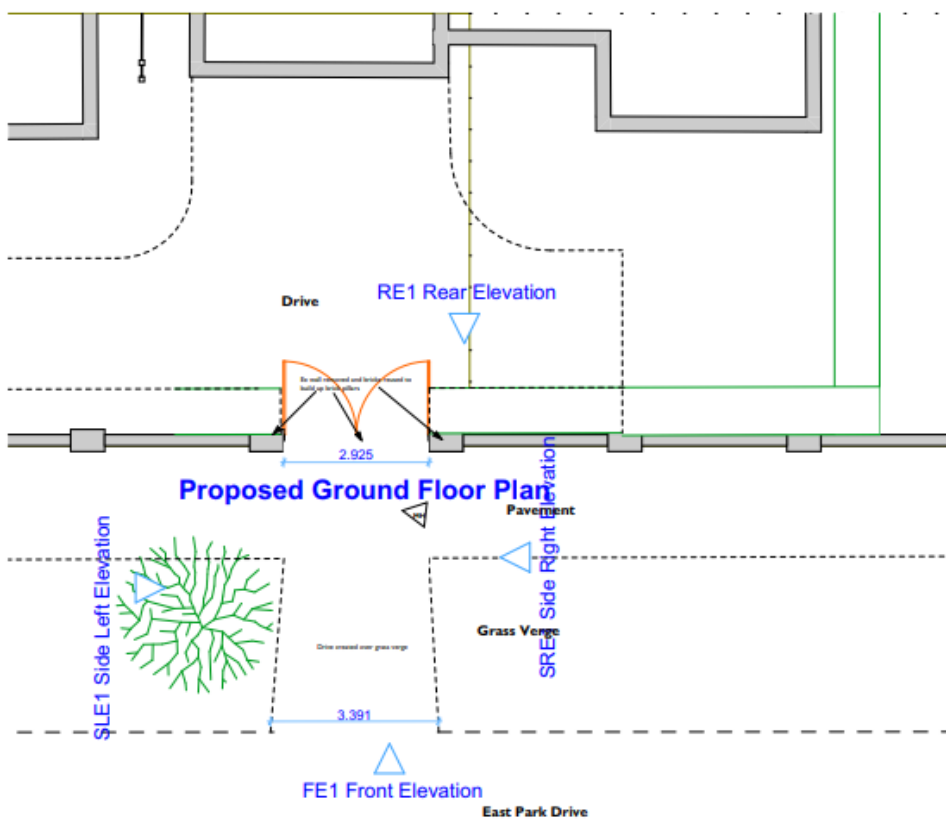
Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 document.

24/0029 – 24 Stanley Park Close – Plans

Location Plan:



Proposed Site Layout Plan:



Proposed elevations:

