

**COMMITTEE DATE:** [08/03/2016](#)

**Application Reference:** **15/0859**

WARD: Talbot  
DATE REGISTERED: 18/12/15  
LOCAL PLAN ALLOCATION: Hounds Hill  
Town Centre Boundary  
Defined Inner Area

APPLICATION TYPE: Outline Planning Permission  
APPLICANT: Coolsilk Property Investment Ltd

**PROPOSAL:** Erection of a four storey mixed use (retail, food and leisure) development on existing surface level car park. (Outline application)

**LOCATION:** LAND BOUNDED BY CORONATION STREET, ADELAIDE STREET AND TOWER STREET, BLACKPOOL, FY1 4LA

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**Summary of Recommendation:** Grant Permission

#### **CASE OFFICER**

Ms C Johnson

#### **SUMMARY OF RECOMMENDATION**

It is considered that a four storey building offering a mix of retail, food and leisure uses in this location, within the Town Centre is acceptable in principle and constitutes sustainable economic development in accordance with the National Planning Policy Framework (NPPF), the recently adopted Core Strategy and the saved policies in the Blackpool Local Plan 2001-2016. Matters relating to layout, design and appearance, scale, access and landscaping will be the subject of a future reserved matters application and a detailed assessment on the impact of the development on the Winter Gardens and the Town Centre Conservation Area will take place at that point.

#### **INTRODUCTION**

In 2006, the Council's Development Control Committee approved a part four/ part five-storey building to form 4,127 sqm of retail floorspace over two levels with a 63 bedroom hotel on upper levels, and 32 car parking spaces and a drop off zone on level 2 accessed from existing Hounds Hill Centre car park. (reference 05/0777). This permission has now lapsed.

Prior to the site clearance in 2011, there was a mix of two, three and four-storey buildings on the site. Following the demolition of the buildings on the site, the Council's Planning

Committee approved the use of the land as a temporary car park for a period of three years in July 2011. However, re-development of the site has yet to move forward and the site remains in use as a car park.

It is understood that the applicant and the management of the Hounds Hill Shopping Centre (Hounds Hill Shopping Centre) are working towards developing detailed plans for the site and it is anticipated that the two sites will integrate physically and in terms of their uses. Securing outline planning permission will facilitate the formulation of a detailed scheme.

### **SITE DESCRIPTION**

The 3148 square metre (0.31 hectare) site is bounded by a vehicle ramp to the north which provides access to the multi-storey car park above the Hounds Hill Shopping Centre (Hounds Hill Shopping Centre), Coronation Street to the east and the Hounds Hill Shopping Centre to the south and west. The site incorporates all of Tower Street and the most westerly part of Adelaide Street which links Coronation Street to the Hounds Hill Shopping Centre.

Currently hard surfaced and used as a temporary car park with 75 spaces, the lack of built form reveals a 'back of house' elevation of the Hounds Hill Shopping Centre, which is a 3-4 storeys tall red brick wall to the west of the site and an adjacent modern six storey (in scale), tiled lift shaft. At the southern end of the site is a secondary entrance to Hounds Hill Shopping Centre and the Hounds Hill extension, which is three-four storeys high in scale.

The site is opposite the Coronation Street elevation of the Grade II\* listed Winter Gardens (between three and six storeys in scale) and abuts the Town Centre Conservation Area.

There are what appear to be accesses to a substation/underground storage/utilities to the north of the site on Tower Street, under the ramp to the Hounds Hill Shopping Centre car park.

The land levels are uneven and the land slopes down from the north east corner to the south with an approximate difference in levels of 1 metre. Coronation Street (including pedestrian footpaths) is between 13 and 14 metres wide (the road widens to the south).

The site is within the Town Centre Boundary and the Principle Retail Core on the Proposals Map to the Local Plan and is identified as a proposed Hounds Hill extension site.

### **DETAILS OF PROPOSAL**

The application is a major application for outline permission with all matters reserved involving the erection of a building up to four storeys in scale providing a mix of retail, food and leisure uses. The applicant has applied for an 'in principle' decision only. Matters relating to layout, design and appearance, scale, access and landscaping will form a future reserved matters application, should this application be successful.

The application is accompanied by a Design, Access and Heritage Statement.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- The principle of a four-storey building with mixed retail, food and leisure use in this location.
- Potential impact on the Town Centre Conservation Area and the Grade II Winter Gardens.

The issues will be discussed in the assessment section of this report.

## **CONSULTATIONS**

### **Built Heritage Manager:**

I have no objection in principle to the development providing all reserved matters are agreed in detail with us in due course.

### **Head of Transportation:**

The principle of development is accepted.

The following will require further consideration.

- Stopping-up of Tower Street.
- Car parking provision.
- Servicing requirements and restrictions.
- Scheme for off-site highway works, drawing no. 5587-op102 indicates enhancement to the footway along Coronation Street fronting the proposal site.
- Landscaping can be supported but not on the public highway.

With regards to servicing and restrictions, please be aware that a scheme is proposed to convert Hornby Road (between Park Road and Coronation Street) and Coronation Street (between Hornby Road and Adelaide Street) from one-way streets to allow a two-way flow. Flows along Coronation Street northbound are likely to increase. Movements into the ground floor loading area (reversing vehicles) will conflict with other road users, which is why a restriction should be placed for servicing vehicles. If the servicing is done from the first floor level, the problem may not be as severe. The scheme will be implemented between 4 April 2016 and 30 June 2016.

### **Historic England:**

The current application is for outline planning permission with all matters reserved for the construction of a four storey, mixed use building. The site is located in the setting of the grade II\* listed Winter Gardens and on the axis between the Gardens and the grade I listed Blackpool Tower and it is for these reasons the proposal falls within our remit for consideration. Having viewed the proposals, we have concluded that whilst the site is suitable for some form of development, the outline nature of the application means it is not possible to establish the impacts of the proposal on the surrounding heritage assets and as such, we cannot be supportive of the scheme at present.

Blackpool is recognised as being the quintessential Victorian seaside resort, built to cater for the working class communities of the surrounding districts. The success of the town as a holiday resort is many fold, however fundamental to it are Blackpool's iconic buildings, developed for the sole purpose of entertaining the masses who flocked to the area.

Both the grade I listed Blackpool Tower and the grade II listed Winter Gardens, demonstrate the innovative approach taken to providing entertainment facilities, such as the provision of the country's only permanent circus arena at the Tower and the sheer size of the Winter Gardens complex which includes two theatres, a huge ballroom known as the Empress Ballroom, conference suites, as well as bars and cafes. The structures are not only pioneering in concept, but are achieved to the highest standard of architecture and interior decoration. The Winter Gardens and Tower, along with Blackpool's piers, promenade and Pleasure Gardens form the heart of the most significant seaside resort in the country.

The current application site is positioned between the Tower and the Winter Gardens, sitting directly opposite the latter. The application seeks outline permission, with all matters reserved, for the erection of a four storey mixed use building on an existing gap site, currently consisting of surfacing car parking.

It is our view that the redevelopment of the site is appropriate as a principle, however, given its highly sensitive location in the setting of a grade II listed building, the suitability of the proposals will be dictated by a sensitively massed and well detailed building, which respects its setting.

Unfortunately, because the current application is in outline, with all matters reserved, it is not possible to establish what the implications on the setting of the Winter Gardens would be as the form, scale, mass and material choice of the proposed building is not indicated. This is contrary to paragraph 131 or 132 of the National Planning Policy Framework (NPPF), which state that great weight should be given to an asset's conservation.

Paragraphs 131 and 57 of the NPPF also state that local authorities should take account of the desirability of new development to make a positive contribution to local character, history and distinctiveness; again the outline nature of the application makes it impossible to establish whether this would be achieved by the proposals.

It is therefore our view that an outline application is not the correct approach for this site, as it is not possible to establish the impacts of the proposal on the surrounding heritage assets. As such, we cannot support the scheme at present and would request that a fully worked up scheme is submitted, which clearly demonstrates the impact of the proposal on the surrounding heritage assets.

**Police:**

The Crime Impact Statement is formed based on local crime figures and trends, incidents reported to the police and community knowledge gathered from local policing teams. It is with this knowledge and policing experience that the recommendations made are site specific, appropriate and realistic to the potential threat posed from crime and anti-social

behaviour in the immediate area of the development.

Crime Risks - Within the last 12 months period, there have been 186 recorded crimes including assault, robbery, burglary and shop lifting. Also 562 incidents are recorded requesting police assistance. This is a concern and should be considered.

Observations - I note in the Design and Access statement detailed attention is given in Part 6 to a Crime Prevention Strategy. It is clear that the designer has taken into account the principles of Secured by Design physical security for a commercial building. I note that the applicant has the intention to discuss security of the proposed building with myself should planning permission be granted.

As this is an Outline Planning Application there is insufficient detail available to comment in detail at this time. It may be possible to make more detailed recommendation should the application be granted at Reserved Matters stage.

Recommendations:

1. In order to provide a safe, secure and sustainable environment for residents, it is recommended that this development should be built in accordance with Secured by Design Standards. In particular Part 2 of Secured by Design - physical security should be incorporated into the scheme. Design Guides –are available at [www.securedbydesign.com](http://www.securedbydesign.com).
2. Landscaping across the site should be carefully considered so that it is low level particularly on and around the public green open spaces e.g. no higher than 1 metre so that it does not reduce the opportunity for natural surveillance across the site or create areas of concealment for potential offenders.

Further advice on the requirements of Secured by Design is available from this office or at [www.securedbydesign.com](http://www.securedbydesign.com)

**United Utilities:**

United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

Drainage Comments - In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

A public sewer crosses this site and we will not permit building over it. We will require an access strip width of 6 metres, 3 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. A modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Given the location of the site, United Utilities would encourage the developer to consider installing permeable paving and potentially a green roof to reduce the volume of surface water discharging from the site. In addition we would encourage the planning authority to reduce the rate of surface water discharging from the site to 5 l/s which would be equivalent to the Greenfield runoff rate of a similar sized development. This approach will ensure that the site is developed in the most sustainable way and the impact to bathing water quality issues will be minimized.

Drainage Conditions - United Utilities will have no objection to the proposed development provided that the following conditions are attached to any approval:

#### Foul Water

Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

#### Surface Water

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 with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

The purpose of the planning system is to help achieve sustainable development. This includes securing the most sustainable approach to surface water disposal in accordance with the surface water hierarchy.

It is important to explain that the volume arising from surface water flows can be many times greater than the foul flows from the same development. As a result they have the potential to use up a significant volume of capacity in our infrastructure. If we can avoid and manage surface water flows entering the public sewer, we are able to significantly manage the impact of development on wastewater infrastructure and, in accordance with Paragraph 103 of the NPPF, minimise the risk of flooding. Managing the impact of surface water on wastewater infrastructure is also more sustainable as it reduces the pumping and treatment of unnecessary surface water and retains important capacity for foul flows.

As our powers under the Water Industry Act are limited, it is important to ensure explicit control over the approach to surface water disposal in any planning permission that you may grant.

Our reasoning for recommending this as a pre-commencement condition is further justifiable as drainage is an early activity in the construction process. It is in the interest of all stakeholders to ensure the approach is agreed before development commences.

Water Comments - A trunk main crosses the site. As we need access for operating and maintaining it, we will not permit development in close proximity to the main. You will need an access strip of no less than 10 metres, measuring at least 5 metres either side of the centre line of the pipe.

Water pressures in the area are known to be generally low and I recommend that the applicant provides water storage of 24 hours capacity to guarantee an adequate and constant supply.

Any necessary disconnection or diversion required as a result of any development will be carried out at the developer's expense. Under the Water Industry Act 1991, Sections 158 and 159, we have the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

General comments - According to our records there is a 4m easement/building over agreement (Z2489B) clipping the top of the development by the ramp. Under no circumstances should anything be erected, planted or stored over the easement width, nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24hr access.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

## **PUBLICITY AND REPRESENTATIONS**

Press notice published: 24 December 2015

Site notice displayed: 22 December 2015  
Neighbours notified: 21 December 2015

No representations have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

### **NATIONAL PLANNING POLICY FRAMEWORK**

Paragraph 2 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 7 explains that the three dimensions to sustainable development including economic, social and environmental roles.

Paragraph 11 reiterates the requirement of paragraph 2.

Paragraph 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless material considerations indicated otherwise. It is highly desirable that Local Planning Authorities have an up to date plan in place.

Paragraph 14 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole;
  - or
  - specific policies in this Framework indicate development should be restricted.

Paragraph 17 sets out the 12 core land-use planning principles which should underpin both plan-making and decision-taking which include to proactively drive sustainable economic development and encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

Paragraph 19 states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.



Paragraph 23 recognises town centres as the heart of communities and policies should support their viability and vitality. Local authorities should define the extent of town centres and primary shopping areas and set policies that make clear which uses will be permitted in such locations.

Paragraph 56 confirms that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 57 states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Paragraph 103 confirms that when considering applications for new development, local planning authorities should ensure flood risk is not increased elsewhere.

Paragraph 109 confirms that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 150 emphasises the importance of Local Plans in delivering sustainable development. It reiterates the point that planning decisions should be made in accordance with the 'Local Plan' unless material considerations indicate otherwise.

Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 129 confirms that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets' conservation and any aspect of the proposal.

Paragraph 131 state that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and

- putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets' conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II\* listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 137 confirms that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 187 states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Paragraph 196 states that the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

## **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan: Part 1 - Core Strategy has been adopted by the Council at its meeting on 20 January 2016. The document will be published on the Council's website in due course. In accordance with paragraph 216 of the National Planning Policy Framework significant weight can now be given to the policies of the Core Strategy. Certain policies in the Saved Blackpool Local Plan have now been superseded by policies in the Core Strategy (these are listed in the appendices to the document). Other policies in the Saved Blackpool Local Plan will remain in use until Part 2 of the new Local Plan is produced.

The policies in the Core Strategy that are most relevant to this application are -

### **Policy CS1: Strategic Location of Development**

1. To deliver the Core Strategy vision the overarching spatial focus for Blackpool is regeneration and supporting growth.
  
2. Blackpool's future growth, development and investment will be focused on inner area regeneration, comprising:
  - a. Blackpool Town Centre, including the three strategic sites of Central Business district, Winter Gardens and Leisure Quarter.

### **Policy CS4: Retail and Other Town Centre Uses**

1. In order to strengthen the Town Centre's role as the sub-regional centre for retail on the Fylde Coast, its vitality and viability will be safeguarded and improved by:
  - a. Focusing new major retail development in the town centre to strengthen the offer and improve the quality of the shopping experience.
  
2. For Town, District and Local Centres within the Borough, retail and other town centre uses will be supported where they are appropriate to the scale, role and function of the centre.

### **Policy CS7: Quality of Design**

1. New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should:
  - a. Be appropriate in terms of scale, mass, height, layout, density, appearance, materials and relationship to adjoining buildings.
  - b. Ensure that amenities of nearby residents and potential occupiers are not adversely affected.
  - c. Provide public and private spaces that are well-designed, safe, attractive, and complement the built form.
  - d. Be accessible to special groups in the community such as those with disabilities and the elderly.
  - e. Maximise natural surveillance and active frontages, minimising opportunities for anti-social and criminal behaviour.
  - f. Incorporate well integrated car parking, pedestrian routes and cycle routes and facilities.
  - g. Provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development.
  - h. Be flexible to respond to future social, technological and economic needs.
  
2. Development will not be permitted 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.
  
3. Contemporary and innovative expressions of design will be supported, where appropriate.

### **Policy CS8: Heritage**

1. Development proposals will be supported which respect and draw inspiration from Blackpool's built, social and cultural heritage, complementing its rich history with new development to widen its appeal to residents and visitors.
2. Proposals will be supported that:
  - c. Enhance the setting and views of heritage buildings through appropriate layout of new development and design of public realm.
  - d. Strengthen the existing character created by historic buildings.
3. Developers must demonstrate how the development will complement and enhance existing features of heritage significance including their wider setting, particularly for those developments affecting conservation areas, listed buildings and other identified heritage assets.
4. The Council will seek to safeguard heritage assets from inappropriate development.

### **Policy CS9: Water Management**

1. To reduce flood risk, manage the impacts of flooding and mitigate the effects of climate change, all new development must:
  1. incorporate appropriate mitigation and resilience measures to minimise the risk and impact of flooding from all sources;
  2. ensure that there is no increase in the rate of surface water run-off from the site as a result of development;
  3. 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;
    - make efficient use of water resources; and
    - not cause a deterioration of water quality.
2. Where appropriate, the retro-fitting of SuDS will be supported in locations that generate surface water run-off.

### **Policy CS17: Blackpool Town Centre**

1. To re-establish the town centre as the first choice shopping destination for Fylde Coast residents and to strengthen it as a cultural, leisure and business destination for residents and visitors, new development, investment and enhancement will be supported which helps to re-brand the town centre by:
  - a. Strengthening the retail offer with new retail development, with the principal retail core being the main focus for major retail development.
  - c. Exploiting key heritage and entertainment assets within the town centre and complementing these with new innovative development.
2. Assistance will be provided to assemble sites and properties where required to facilitate major redevelopment.

### **Policy CS18: Winter Gardens**

2. Proposals must be presented in the context of a comprehensive approach, respect the character and heritage of the Grade 2\* Listed Building and conform to the Winter Gardens Conservation Statement.

None of these policies conflict with or outweigh the provisions of the saved Local Plan policies listed below.

### **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

#### **Policy SR1: Hounds Hill**

The Hounds Hill site is proposed as an extension to the Principal Retail Core. The redevelopment of this site for non-food retailing including multi storey public car parking will be permitted. Other supporting development could integrate appropriate leisure and hotel accommodation uses at upper floor level.

Rather than looking inward, any proposals for redevelopment should look outwards and create high street frontages that fully integrate with the surrounding shopping streets and the adjacent Grade II\* listed Winter Gardens.

#### **Policy SR5: Principal Retail Core**

Proposals for uses other than the following will not be permitted within the Principal Retail Core:

- (a) retail uses; financial and professional services; restaurants and cafes
- (b) appropriate leisure, residential, hotel or office uses at upper floor level
- (c) civic space/open space

Proposals, which would be detrimental to the retail function/character of these main shopping streets, will not be permitted. Public realm improvements in the area will be promoted and where appropriate contributions secured from development.

#### **Policy BH3: Residential and Visitor Amenity**

(A) Developments will not be permitted which would adversely affect the amenity of those occupying residential and visitor accommodation by:

- (i) the scale, design and siting of the proposed development and its effects on privacy, outlook, and levels of sunlight and daylight; and/or
- (ii) the use of and activity associated with the proposed development; or by
- (iii) the use of and activity associated with existing properties in the vicinity of the accommodation proposed.

#### **Policy BH4 Public Health and Safety**

Developments which are considered likely to be detrimental to public health and safety will not be permitted. Developers must demonstrate that development will not cause or increase pollution of water or groundwater resources.

**Policy LQ1: Lifting the Quality of Design**

All new development will be expected to be of a high standard of design and to make a positive contribution to the quality of its surrounding environment.

All planning applications for large-scale developments or smaller developments occupying prominent and/or sensitive locations, such as gateways and activity nodes must be accompanied by an 'Urban Design Statement'. This statement will need to set out the design principles of the development covering the following:

- (a) site appraisal and context
- (b) layout of street and spaces
- (c) activity and movement patterns
- (d) building design
- (e) public realm design
- (f) landscape design, including wildlife and biodiversity issues
- (g) energy and resource conservation
- (h) other relevant design issues

For the purposes of this policy, large-scale developments are defined as non-residential proposals in excess of 500 sqms. Sensitive and prominent locations are considered to be those within or adjacent to Conservation Areas, those directly affecting the fabric or setting of a Listed Building, those sites occupying landmark or nodal locations with the Town Centre, and any site within the Resort Core or Resort Neighbourhoods with any elevation fronting onto the Promenade.

**Policy LQ4: Building Design**

In order to lift the quality of new building design and ensure that it provides positive reference points for future proposals, new development should satisfy the following criteria:

Scale - The scale, massing and height of new buildings should be appropriate for their use and location and be related to the width and importance of the street or space and the scale, massing and height of neighbouring buildings. Buildings of a larger scale and height will be encouraged in the Town Centre. New buildings less than four storeys or equivalent in height will not be permitted within the Town Centre.

**Policy LQ9: Listed Buildings**

Development which adversely affects the character or appearance of a listed building, or its setting will not be permitted.

**Policy LQ10: Conservation Areas**

Applications for development in Conservation Areas will be considered against the following criteria:

- (i) the development must preserve or enhance the character and appearance of the Conservation Area.
- (ii) the development will need to respect the scale, massing, proportions, materials and detailing of similar building forms within the Conservation Area.

### **Policy NE10: Flood Risk**

Development in areas at risk from flooding (including tidal inundation) will only be permitted where appropriate flood alleviation measures already exist or are provided by the developer. Developments will not be permitted which would increase run-off that would overload storm drains or watercourses. Sustainable drainage systems will be used in new developments unless it can be demonstrated to the Council's satisfaction that such a scheme is impractical.

### **Policy AS1: General Development Requirements**

New development will only be permitted where the access, travel and safety needs of all affected by the development are met as follows:

- (a) convenient, safe and pleasant pedestrian access is provided
- (b) appropriate provision exists or is made for cycle access
- (c) effective alternative routes are provided where existing cycle routes or public footpaths are to be severed
- (d) appropriate access and facilities for people with impaired mobility (including the visually and hearing impaired) are provided
- (e) appropriate provision exists or is made for public transport
- (f) safe and appropriate access to the road network is secured for all transport modes requiring access to the development
- (g) appropriate traffic management measures are incorporated within the development to reduce traffic speeds; give pedestrians, people with impaired mobility and cyclists priority; and allow the efficient provision of public transport
- (h) appropriate levels of car, cycle and motorcycle parking, servicing and operational space are provided

Where the above requires the undertaking of offsite works or the provision of particular services, these must be provided before any part of the development comes into use.

(Policies BH11 Shopping and Supporting Uses and BH12 Retail Development and Supporting Town Centre Uses have been superseded by Core Strategy Policy CS4).

### **ASSESSMENT**

#### **The principle of a four-storey building with mixed retail, food and leisure use in this location.**

The Council as Local Planning Authority consistently seeks to work proactively with developers to deliver sustainable development which brings positive environmental benefits and underpins wider regeneration strategies.

The site is a brownfield site which is currently being used as a car park, until the site can be comprehensively re-developed. The site is within the Town Centre boundary and the Principle Retail Core and has been identified in the Local Plan for expansion of the Hounds Hill Shopping Centre.

The proposed mix of uses would have numerous economic benefits for the town as well as

bringing a prime Town Centre site back into a long term sustainable use. The proposal is considered to be sustainable development in the context of local and national planning policies.

The principle of a mixed retail, food and leisure use is acceptable and in accordance with paragraphs 17, 19 and 187 of the National Planning Policy Framework, Core Strategy Policies CS1, CS4 and CS17 and Local Plan Policies SR1 and SR5, which seek new investment to revitalise and improve the Town Centre as an attractive shopping and leisure destination.

### **Potential impact of the Town Centre Conservation Area and the Grade II\* Winter Gardens**

Historic England has confirmed that the site is suitable for development, and the re-development of the site is appropriate in principle. Historic England is concerned that as all matters are reserved, it is not possible to fully assess the impacts of the proposal on setting of the surrounding heritage assets and the lack of detail makes the application contrary to paragraphs 131 and 132 of the National Planning Policy Framework. It is agreed that the impacts of a building on this, particularly sensitive site, need to be carefully assessed and this isn't possible without a detailed scheme. However, the detailed reserved matters will be assessed at a later date. The agent has already submitted details to Historic England for pre-application advice and is committed to continue to work on the scheme in conjunction with advice from Historic England, the Built Heritage Manager and the Local Planning Authority, as the detailed scheme develops.

It should be noted that Historic England does not object to the application and the Built Heritage Manager has no objections providing all reserved matters are agreed in detail with him in due course.

The application is supported by a Heritage Statement, which needs to be updated, but provides a comprehensive background of the development of the Winter Gardens. As the detailed design develops, it is anticipated that the Heritage Statement will be updated to include details of the significance of the Coronation Street elevation and 'turret' on the corner of Coronation Street and Adelaide Street, as it is the character and setting of this elevation which is of the greatest concern. It is anticipated that the design of the new building will take design cues from Winter Gardens in terms of the materials palette, and key design principles including having a strong vertical emphasis with soft edges and corner entrance features.

The agent has confirmed that the building will be set back from the original Adelaide Street building line to improve views of the corner of the Winter Gardens and the Town Centre Conservation Area from the Hounds Hill Shopping Centre and providing the opportunity for soft landscaping to improve the public realm and enhance the setting of the Winter Gardens and the Conservation Area.

Although the matter of the scale of the building hasn't been formally applied for, the application indicates that the building would be four storeys tall with a maximum height of 18 metres. This is very similar in scale to the previously approved scheme (reference 05/0777) and is considered appropriate in principle. Furthermore, saved Policy LQ4 of the



Local Plan confirms that new buildings less than four storeys or equivalent in height will not be permitted within the Town Centre. Details of the design and how it relates to the Winter Gardens and the Conservation Area will be assessed at a later date. Granting an outline planning permission at this stage in no way prejudices the Council and the reserved matters details will come under the same scrutiny as a full planning application and will be subject to full consultations.

#### **Other issues.**

The agent has confirmed that a detailed scheme will be developed in consultation with the Police Architectural Liaison Officer in order to ensure that the Secured by Design principles are met. Stopping up Tower Street and building over it, joining the development with Hounds Hill rather than it being physically isolated from it, will reduce the risk of anti-social behaviour around the development and provide opportunities to improve access to and share facilities with the shopping centre.

The comments from United Utilities have been forwarded to the agent so that the detailed scheme can be developed in accordance with the drainage and water management requirements.

#### **CONCLUSION**

The proposed development would meet the economic and social dimensions of the National Planning Policy Framework and it is considered that the environmental dimension could be adequately covered at the reserved matters stage.

#### **HUMAN RIGHTS ACT**

Under Article eight and Article one 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. It is not considered that the application raises any human rights issues.

#### **CRIME AND DISORDER ACT 1998**

The contents of this report have 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.

#### **BACKGROUND PAPERS**

Planning Application File 15/0859 can be assessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple&searchType=Application>

**Recommended Decision:** Grant Permission

**Conditions and Reasons**

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

- Layout
- Scale
- Appearance
- Access
- Landscaping

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

Reason 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. On the south east corner of the application site the approved development shall have a minimum height of 18 metres and/or be four storeys in height.

Reason: In the interests of visual amenity and to ensure that the building is of an appropriate scale compared to the scale and height of the adjacent Winter Gardens and Hounds Hill Shopping Centre, in accordance with Paragraphs 23, 56, 57, 129 and 131 of the National Planning Policy Framework, Policies CS4, CS7, CS8 and CS17 of the Blackpool Local Plan: Part 1 - Core Strategy and Saved Policies SR1, LQ1, LQ4, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016.

3. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with paragraphs 103 and

109 of the National Planning Policy Framework, Policy CS9 of the Blackpool Local Plan: Part 1 - Core Strategy and Policies BH4 and NE10 of the Blackpool Local Plan 2001-2016.

4. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:
- dust mitigation measures during the construction period
  - control of noise emanating from the site during the construction period
  - hours and days of construction work for the development
  - contractors' compounds and other storage arrangements
  - provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
  - arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
  - the routeing of construction traffic.

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

Reason: In the interests of the amenities of surrounding residents and hotels and to safeguard the character and appearance of the Town Centre Conservation Area and the Winter Gardens in accordance with Policies CS7 and CS8 of the Blackpool Local Plan: Part 1 - Core Strategy and LQ1, LQ9, LQ10 and BH3 of the Blackpool Local Plan 2001-2016.

5. No development approved by this permission shall be commenced until details of the finished floor levels of the proposed buildings and any alterations to existing land levels have been submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved levels unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of surrounding residents and hotels and to safeguard the character and appearance of the Town Centre Conservation Area and the Winter Gardens in accordance with Policies CS7 and CS8 of the Blackpool Local Plan: Part 1 - Core Strategy and LQ1, LQ9, LQ10 and BH3 of the Blackpool Local Plan 2001-2016.

6. The ground floor of the premises shall be used for A1 retail (non food) and A3 restaurant/cafe purposes only as defined in the Town and Country Planning Use Classes Order 1987 (as amended) and for no other purpose.

Reason: In the interests maintaining and enhancing the retail function and character of the Town Centre in accordance with paragraphs 19, 23 and 150 of the National Planning Policy Framework, Policies CS4 and CS17 of the Blackpool Local Plan: Part 1 - Core Strategy and Policies SR1 and SR5 of the Blackpool Local Plan 2001-2016.

7. 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 on including the following plans:

Location Plan stamped as received by the Council on 18th December 2015.

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

8. Foul and surface water shall be drained on separate systems. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with paragraphs 103 and 109 of the National Planning Policy Framework, Policy CS9 of the Blackpool Local Plan: Part 1 - Core Strategy and Policies BH4 and NE10 of the Blackpool Local Plan 2001-2016.

### **Advice Notes to Developer**

1. An Order for the stopping up of the public highway (Tower Street) may be required. The applicant is advised to contact the Head of Transportation on 01253 477477 or at Number One, Bickerstaffe Square, Talbot Road, Blackpool FY1 3AS in the first instance for further guidance.

2. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.