

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 10 MAY 2016

### **Present:**

Councillor L Williams (in the Chair)

Councillors

I Coleman  
Critchley

Elmes  
Hutton

Maycock  
Stansfield

### **In Attendance:**

Mr Lennox Beattie, Executive and Regulatory Support Manager

Mr Gary Johnston, Head of Development Management

Mr Latif Patel, Group Engineer Transportation

Mrs Carmel White, Chief Corporate Solicitor

### **1 DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

### **2 MINUTES OF THE MEETING HELD ON 5 APRIL 2016**

The Committee considered the minutes of the last meeting of the Committee held on 5 April 2016.

### **Resolved:**

That the minutes of the meeting held on 5 April 2016 be approved and signed by the Chairman as a correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED**

The Committee considered the report of the Head of Development Management outlining planning and enforcement appeals lodged and determined.

The report outlined that the appeal in respect of 5 Penhill Close had been dismissed by the Planning Inspector and a copy of the decision dated 30 March 2016 had been included in the agenda.

The report also presented that two appeals had been submitted since the last meeting- one in respect of an Enforcement Notice served at 35 Maplewood Drive and one in respect of refusal of Planning Permission at Land Adjacent to Derryn, School Road.

### **Resolved:**

To note the report of planning and enforcement appeals lodged and determined.

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### **Background Papers:**

Letters from the Planning Inspectorate dated 19 March 2016, 30 March 2016 and 6 April 2016

### **4 PLANNING ENFORCEMENT UPDATE REPORT**

The Committee considered the report of the Service Manager Public Protection regarding planning enforcement activities within Blackpool during March 2016. The report outlined new cases received, cases resolved, cases closed during the period including those where no action had been appropriate and those where formal enforcement action including the issue of a Section 215 notice had been undertaken.

### **Resolved:**

To note the outcomes of the cases set out below and to support the actions of the Service Manager, Public Protection Department, in authorising the notices set out in the report.

### **5 PLANNING APPLICATION 15/0451 - 585-593 PROMENADE AND 1 WIMBOURNE PLACE**

The Committee considered Planning Application 15/0451 for the erection of part 5/part 7 storey block of 99 self-contained permanent flats with car parking for 84 vehicles, access and associated works following the demolition of existing hotels.

Mr Johnston (Head of Development Management) presented the report on the application. He emphasised the planning officers' view that the application was acceptable in principle and if members were minded to approve the application that this should be in principle with the final approval delegated to the Head of Development Management subject to the completion of a Section 106 agreement in relation to the payment of a commuted sum in lieu of on-site provision of 30% of the flats as affordable housing. Mr Johnston highlighted the update note were an additional condition had been proposed following the receipt of amended plans which now showed an acceptable transition between the proposed development and the remainder of the Crescent to the north and with the Ocean Bay Hotel to the north and showing the relationship to the remainder of the Crescent and to properties fronting Clifton Drive. Mr Johnston circulated a further email representation from the owner of the Ocean Bay Hotel to members and the applicant.

Mr Hyatt spoke in objection to the application and highlighted local residents' concerns about the size and scale of development and how it would integrate with existing buildings.

Mr Joyce, the agent for the applicant, spoke in support of the application and highlighted that the building would be a similar height to other developments nearby which had already received planning permission including the proposed Hampton by Hilton Hotel.

Members expressed concerns about the size, scale, intensity and design of the building and the inadequacy of car parking on site. They concluded that this application would

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impact negatively on the residential amenity of neighbouring properties and that these disbenefits were not outweighed by the advantages of the development.

### **Resolved:**

That the application be refused for the grounds set out in the Appendix to the minutes.

### **Background Papers:**

Applications, plans and replies to consultations on the application.

### **6 MOTION MOVED, SECONDED, VOTED UPON AND LOST**

During consideration of the preceding item the following motion was moved, seconded, voted upon and lost:

That Planning Application 15/0451 be approved in principle with the final approval of the application delegated to the Head of Development Management subject to the completion of a satisfactory Section 106 agreement in relation to the completion of a Section 106 agreement in relation to the payment of a commuted sum in lieu of on-site provision of 30% of the flats as affordable housing.

The Planning Permission to be granted subject to following conditions:

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 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 on 06 July 2015 including the following plans:

Location Plan stamped as received by the Council on 06 July 2015

Drawings numbered: A715/1d ,A715/2d, A715/3d, A715/4d, A715/5d, A715/6d, A715/7d, A715/8 (elevations x3), A715/9d, A715/10 and apartment plans x2.

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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 construction of any above ground structures details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority. The approved materials shall then be used as part of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016.

4. Prior to the construction of any above ground structures details of the surfacing materials to be used in the construction of the development shall be submitted to and agreed in writing by the Local Planning Authority. The approved materials shall then be used as part of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016.

5. The roof of the building shall not be used for any other purpose other than as a means of escape in emergency or for maintenance of the building.

Reason: To safeguard the amenities of the adjoining premises, to safeguard the visual amenities of the area in accordance with Policy LQ14 and BH3 of the Blackpool Local Plan 2001-2016.

6. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

NOTE – The development is of a scale to warrant a contribution of £66,908 towards the provision of or improvement to off site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

7. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and shall thereafter be retained.

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Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

8. Prior to the development hereby approved being first brought into use the refuse storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

9. Prior to the development hereby approved being first brought into use the secure cycle storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

10. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with 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 Policy BH4 of the Blackpool Local Plan 2001-2016.

11. 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 routing of construction traffic.

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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 to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

13. Before any of the approved flats are first occupied details of the boundary treatment to New South Promenade, Wimbourne Place and the back alley between Burlington Road West and Harrowside West shall be submitted to and agreed in writing by the Local Planning Authority. The agreed boundary treatment shall then be erected and shall thereafter be retained.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016.

14. No development approved by this permission shall be commenced until details of the finished floor levels of the proposed building 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: To safeguard the character and appearance of the area in accordance with Policy CS7 of the Blackpool Local Plan: Part 1 - Core Strategy and Policies LQ1, LQ2, LQ4 and BH3 of the Blackpool Local Plan 2001-2016.

15. 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

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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 Policy BH4 of the Blackpool Local Plan 2001-2016.

16. All glazing to the eastern elevation of the two projecting rear wings of the building facing the rear boundaries of properties fronting Clifton Drive shall be at all times obscure glazed and fixed permanently closed.

Reason: To safeguard the living conditions of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ4 of the Blackpool Local Plan 2001-2016.

17. All windows to the elevations of the building shall be recessed behind the plane of the elevation in accordance with details to be submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016.

18. Before the development is commenced a lighting/security scheme for the car parking area at the rear of the building shall be submitted to and approved by the Local Planning Authority. The approved scheme shall then be implemented as part of the development and shall be retained as such.

Reason: To safeguard the living conditions of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ4 of the Blackpool Local Plan 2001-2016.

### Chairman

(The meeting ended at 7.10 pm)

Any queries regarding these minutes, please contact:

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