

COMMITTEE DATE: 25/10/2016

Application Reference: 16/0473

WARD: Waterloo
DATE REGISTERED: 27/07/16
LOCAL PLAN ALLOCATION: Resort Neighbourhood

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Waldorf, Kimberley & Henderson Hotels

PROPOSAL: Erection of a part 5 /part 6 / part 7 storey block of 91 self-contained permanent flats with car parking for 84 vehicles, access and associated works following demolition of existing hotels

LOCATION: 585-593 PROMENADE AND 1 WIMBOURNE PLACE, BLACKPOOL, FY4 1NQ

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

SUMMARY OF RECOMMENDATION

The application proposes a loss of holiday accommodation in an area of protected holiday accommodation and its replacement with permanent accommodation - a mixture of one bed, two bed and three bed flats. The protection was first instigated in 2006 through the Blackpool Local Plan and subsequently in 2011 through the Holiday Accommodation Supplementary Planning Document. Since 2011 the Crescent has been significantly affected by the closure and boarding up of hotels and the fire damage at the Palm Beach Hotel. This represents a significant material change in circumstances since 2011. The replacement of the Palm Beach Hotel with a Hampton by Hilton Hotel will represent significant holiday accommodation investment in the area and whilst it is not directly linked to that proposal this proposal would provide for a new residential offer envisaged by Policy CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

INTRODUCTION

This application is an amended application following the refusal of planning application 15/0451 for the erection of a part 6/part 7 storey block of 99 self-contained permanent flats with car parking for 84 vehicles, access and associated works following demolition of the existing hotels. The application was refused for the following reasons -

The proposed development would represent an over intensive use of the site by virtue of its scale, the number of flats proposed and its mass. As such it would be out of character with the area in which the site is located and it would be detrimental to the amenities of residents in Clifton Drive. The proposed development would therefore be contrary to paragraph 17 of the National Planning Policy Framework, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001- 2016.

The proposed development would represent an over intensive use of the site in that there would be insufficient car parking spaces (84) to serve the proposed flats (99). This is likely to lead to additional on street car parking to the detriment of highway and pedestrian safety. As such the proposed development would be contrary to paragraph 17 of the National Planning Policy Framework and Policy AS1 of the Blackpool Local Plan 2001-2016.

The key changes compared to the previous application are:

- a reduction in the number of flats from 99 to 91
- a reduction in the size of the penthouse floor (7th) - the penthouse floor would be reduced in length by 5 metres
- a reduction in the size of the 6th floor - the floor would be reduced in length by 26 metres
- the removal of balconies from the majority of flats on the eastern side of the building facing the rear of properties fronting Clifton Drive

SITE DESCRIPTION

This 0.4 hectare site is on New South Promenade to the south of Blackpool Pleasure Beach, and consists of a block of holiday accommodation premises comprising the Henderson (not trading), Waldorf (trading) and Kimberley (boarded up) hotels, immediately north of Wimbourne Place. The Palm Beach Hotel is to the south (across Wimbourne Place) and other hotels to the north. The properties were built in the 1920s / 1930s within a uniform terraced arc, set back behind Bourne Crescent, to the front of which is a walled area of public open space directly on the Promenade frontage. To the rear of the existing hotels is a service road, across which are two storey houses and flats fronting Clifton Drive.

The Crescent is within the Pleasure Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Holiday Accommodation Supplementary Planning Document.

DETAILS OF PROPOSAL

The submitted proposal is in outline with access, layout, appearance and scale currently applied for; landscaping is a reserved matter. The application is for demolition of the existing buildings within the application site and replacement with 91 residential apartments spread over between three and seven storeys.

Over the whole development, the height would gradually increase towards the south end of the site and would taper towards to the properties to the rear. The building would have a distinct base and there would be two entrances to the flats on the New South Promenade frontage. There would be a curved glazed elevation to the New South Promenade/Wimbourne Place corner of the building. The corner would also be built up to give it some prominence. The top floors would be glazed to give the building a lighter appearance. A high proportion of the flats would have balconies to make the most of the sea view. The building would project 1.8 metres in front of the existing main building line to the existing Crescent (there are single storey projections and two storey bay projections to the existing crescent) although it would taper in terms of its relationship to the Ocean Bay Hotel to the north. The projecting wings at the rear of the building would taper to three storeys and one wing would extend to the back street and one would be offset by some 8 to 10 metres from the back street. The flats would comprise 21 one bed flats, 61 two bed flats and 9 three bed flats.

Vehicular access to the site is proposed from a new access formed to the back street, which would lead into the car parking spaces. The total parking on site would amount to 84 cars. In addition cycle parking would be provided. Bin storage would also be provided to the rear of the building adjacent to the back street and the car parking area would incorporate some landscaping. A delivery bay would be provided within the site frontage to Bourne Crescent and the pavement in Wimbourne Place would be widened to 2 metres along the site frontage (between Bourne Crescent and the back street).

The proposal is supported by a Design and Access Statement, Flood Risk Assessment, Transport Statement, Bat Survey and viability report regarding the hotels.

MAIN PLANNING ISSUES

The key issues relate to the principle of the development in terms of managing holiday bed spaces in the town (Policy CS23 of the Blackpool Local Plan Part 1: Core Strategy) and the Holiday Accommodation SPD; design Policies LQ1, LQ2, LQ3 and LQ4 (and CS7 of the Blackpool Local Plan Part 1: Core Strategy) amenity policy BH3; and accessibility policies AS1 and AS2.

Key specific issues relate to:

- principle of the proposal
- comprehensive redevelopment of the site
- scale and impact on residential amenity
- traffic/transportation issues

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

CONSULTATIONS

United Utilities Plc (Water) - has no objection in principle to the proposal but wishes to see foul and surface water drained on separate systems. In addition it wishes to see a surface water drainage scheme and management scheme approved prior to the commencement of development. It suggests conditions to cover these aspects.

Police Architectural Liaison Officer - No comments 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.

Blackpool International Airport - No comments 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.

Head of Transportation - commented as follows in terms of the previous application for 99 flats –

With regards to car parking, the description for the proposal mentions 94 car parking spaces. Drawing no A715/1C, the latest drawing I have in my possession only shows 84 car parking spaces, a short fall of 15 if applying a ratio of one car parking spaces per unit. The area suffers from demand for on-street car parking during the summer months. Requests have been received in the past from residents in the area requesting residents parking. The shortfall in the number of spaces provided in comparison to the number of units may place extra pressures in this area and supporting this proposal may make it warrant a scheme in the future. I accept the shortfall is only small however the impact of this could be quite significant for the area. On this basis, I consider it necessary to seek a contribution to deal with parking problems in future years, a realistic timescale to address any problems would be five years from first occupation. In terms of pedestrian access, front and from the rear, it is advisable to widen the paths at the front to a width greater than 100mm, this is to allow better access for people with a disability or mothers with young children – 1500mm is considered acceptable.

Pedestrian access will also be available at the rear though the car park. The street is an unadopted highway, therefore responsibility lies with the frontages. As the use will intensify, a lighting scheme to be implemented for the benefit of future occupiers.

On Wimbourne Place itself (between the Crescent and in terms of pedestrian access), the footway widths are sub-standard as the public highway is landlocked. There is regular footfall between the Promenade and the residential area behind the development and the lack of a standard footway creates conflict between pedestrians and drivers. The use of Wimbourne Place could intensify with future residents requiring access to the car park. Is there any scope to dedicate land currently within the landscape strip for highway purposes?

The demolition of the existing buildings and construction of the new units will require some consideration and management. A Demolition Plan and separate Construction Management Plan to be conditioned.

Any further comments will be reported in the update note

WASTE- Residential -No comments 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.

PUBLICITY AND REPRESENTATIONS

Press notice published: 25 August 2016

Site notice displayed: 18 August 2016

Neighbours notified: 12 August 2016

The following representations have been received:

Mr P Hyatt, 32 Clifton Drive, Blackpool, FY4 1NX (Objects)

I'm surprised to see this application so soon after the previous application was rejected by the Planning Committee in May. It does not appear to be substantially different from the previous application and the main objections to that proposal have not been resolved. It still seems to be an over-development of the site with inadequate parking. It has been noted that there are inconsistencies in the documents submitted. For example, the document labelled 'Sketch to rear of proposed flats' shows balconies on the rear elevation. The floor plans show a different design. Also, the document labelled 'Image' shows the 7th storey penthouse at the front of the building whereas in the document labelled 'Side rear elevations', the penthouse is positioned at the rear of the block. Is this acceptable in a planning application?

That aside, it is clear that the proposed building still rises to 7 storeys (19 metres) at the south west corner where it will block sunlight and overshadow nearby properties. In comparison, the existing buildings are four storeys or 12 metres high. The proposal replaces 122 hotel bedrooms with 170 residential bedrooms. It's also clear that most of the large windows shown previously still remain and will overlook and intrude on the privacy of nearby properties. The car park will cause considerable noise nuisance to adjacent properties by more than doubling the number of parking bays from 34 to 84. Even so, there is clearly a shortfall with 84 parking spaces for 91 flats. The recommended ratio is 1.5 spaces per flat.

There are question marks over the suitability of current road widths to handle increased traffic to the car park. There are queries about the design of the car park, and the lack of disabled and visitor parking. There is no delivery bay/ access for service vehicles shown on the plans.

Scale and massing of buildings

The height and position of the higher storeys will undoubtedly block sunlight and increase overshadowing of the houses on Clifton Drive - contrary to Council policy BH3. Yet no new sun path diagrams have been produced. The scale and massing of the block is not related to the scale and massing of neighbouring buildings - contrary to Council policy LQ4. The Design and Access statement submitted as part of the original application stated that;

"The proposal is significantly larger, mainly by way of its height given that it is some 6/7 storeys in extent ..."

This is still true of the revised proposal. Even though some parts of the block have been remodelled the most contentious parts remain. For example, a section of the 6th storey has been removed from the north west of the Promenade frontage - furthest away from the properties on Clifton Drive due to the outward curve of the crescent - where it would have least impact on overshadowing and loss of light. In terms of massing and overshadowing, the remaining section of the 6th storey - on the south west Promenade frontage nearest to the houses on Clifton Drive - could not be in a worse position. The same is true of the 7th storey penthouse. The Government's own guidelines on new streets and associated developments is given in the 'Manual for Streets' (HMSO 2007). It recommends that a full 'context appraisal' is carried out (paragraph 3.6.1) but the 'Design and Access Statement' made absolutely no reference to the buildings on Clifton Drive and I can find no appraisal of how the proposed development would affect them.

The Manual also discusses separation distances between buildings in relation to their heights.

(Paragraph 5.4.3)

"The public realm is defined by height as well as width - or, more accurately, the ratio of height to width. It is therefore recommended that the height of buildings (or mature trees where present in wider streets) is in proportion to the width of the intervening public space to achieve enclosure".

And (Paragraph 5.4.4)

"The benefits of taller buildings, such as signifying locations of visual importance, adding variety, or simply accommodating larger numbers of dwellings, must be weighed against the possible disadvantages. These include an overbearing relationship with the street, overshadowing of surrounding areas, and the need to provide more parking."

Council policy and government best practice agree on these points but the proposed development seems to ignore them. The manual gives examples of different height-to-width ratios. One 'typical' example (Fig 5.5) has a height-to-width ratio of approximately 1:3 thus:

"...enabling a pleasant living environment to be shared with functionality in the form of traffic movement and on-street parking...."

Surely a 'pleasant living environment' is something that should be fundamental to the proposed development and if separation distance of 1:3 is required to achieve this, then it should be built in to the planning process. The Manual does give example of shorter separation distances but these are applied to lower level buildings of the same height, where overshadowing and massing are not seen as issues. The proposed development does not come anywhere near the 1:3 ratio. The distance from the houses on Clifton Drive to the rear elevation of the proposed Promenade frontage is 37 metres at the south west corner. At this point the proposed block rises to 19 metres. This would require a separation distance of 57

metres to create the pleasant environment mentioned in the Manual. Similarly, the section of the proposed development covered by the 6th storey (16.0 metres high) would require a separation distance of 48 metres. Using the same formula, the current building at 12 metres high should have a separation distance of 36 metres. As noted earlier, the actual distance is 37 metres - very near perfect for a 1:3 ratio.

The design of the side elevations of the new building brings the windows on the inside of the two rear projecting 'wings' to within 8 and 16 metres of the boundary walls of the properties on Clifton Drive. The 'Sketch to the rear of proposed flats' shows these as floor to ceiling windows which will have oblique (and uninterrupted) views into the gardens and back bedrooms of the houses on Clifton Drive. All the flats on the back of the main Promenade elevation (some with small balconies) will have direct views in to the gardens and rear rooms of the houses on Clifton Drive. Although further away (at 37 metres) than the 'side elevation' flats, these rise to five or six storeys and will overlook and intrude on the privacy of the residents of Clifton Drive - contrary to Council policy BH3.

Car parking

The revised proposal shows 84 'unallocated' parking spaces for 91 flats. The recommended number is 1.5 spaces per flat, so the proposal falls short even before other issues are looked at. Central and local government schemes to discourage private car ownership among home buyers are unrealistic according to research from CABA* (the government advisory body - now part of the Design Council).

"...Many people feel that the design for a new residential development should accommodate typical levels of car ownership and that the level of parking in new developments is often inadequate for residents' and visitors' demands. There was a general feeling among buyers of new homes that apparent attempts to restrict parking in order to curb car ownership were unrealistic and had little or no impact on the number of cars a household would require and acquire."

(* Commission for Architecture and the Built Environment, 2005).

It's argued that the nearby tram line should reduce people's need for private cars but this isn't borne out by the current situation where parking is a chronic problem. If existing residents choose to own one or more cars what evidence is there to suggest that new residents would be any different? The site has an 'accessibility score' of 0 for both primary and secondary schools so families would need cars for the school run.

Another quote from CABA:

"Policy makers and designers need to consider people's behaviour as it really is and not as how we would like it to be."

I understand that the recommended 1.5 parking spaces is often unachievable in Blackpool but it seems inconceivable that any scheme providing less than one space per flat would be acceptable in an area where parking is already a problem (see recent picture of parking on

Clifton Drive). Related to this, I can't find any assessment of the possible effect of the development of the 'Hampton by Hilton' Hotel which will surely exacerbate the parking problems in the area. Also, I believe a new development of 86 flats has been approved on nearby Harrow Place. With plans for just one parking space per flat, it seems very likely that it will further add to the local parking problems for visitors and residents.

There are other issues with the car park plans.

Firstly, there is no provision for disabled parking.

'Manual for Streets' says (paragraph.8.3.26):

" In the absence of any specific local policies, it is recommended that 5% of residential car-parking spaces are designated for use by disabled people. A higher percentage is likely to be necessary where there are proportionally more older residents". This would of course reduce the number of spaces available for other residents. There is no provision for visitor parking. There is no delivery bay shown in the car park (nor at the front of the building either.) Has a 'swept path analysis' been carried out to check if larger vehicles, such as refuse trucks, have room to manoeuvre in the car park? (paragraph 6.5.8 of the Manual for Streets). There is no turning circle shown on the car park plan and the back alley access is relatively narrow.

It is not clear how the supporting columns for the building above would affect the parking bays. On the 'Sketch of rear of proposed flats' document, there appears to be about a dozen columns that intrude on the parking bays and they look fairly substantial (although I can't see any indication of the actual size of the column footprint.) I'm assuming they will make turning in and out of bays more difficult and extra space may be required - thus reducing the number of bays. Has any assessment of this been carried out? Also some of sets of parking bays appear to form mini 'cul-de-sacs'. From my observation, car parks usually have circulation space at either end so that cars can drive around to find an empty space. As far as I can see, there is no turning space where the bays meet the main building. Would drivers have to reverse/3-point turn if they enter one of the 'cul-de-sacs' and find no free spaces (it happens!).

There has been no formal assessment of the possibility of increased noise, car fumes or light pollution from the proposed car park. I'm told this is not unusual for residential developments but the size and scale of this proposal, plus the design of the site give me great concerns that noise and pollution will be concentrated far more in this semi-enclosed space than in other residential developments. It has already been pointed out that the houses on Clifton Drive will be sandwiched between the main road at the front and a huge car park at the rear - a terrible prospect for the residents. I've already said that a full context appraisal should have considered the effects of the development on the Clifton Drive properties but I can find nothing in the planning proposal.

Access roads

The main access route to the car park is via Wimbourne Place and the back alley which runs directly behind the garden walls of the properties on Clifton Drive. Neither road seems, to me, to be suitable for the increased levels of traffic which would be associated with the proposed

car park for this development plus the Hampton by Hilton development which will share Wimbourne Place. Traffic from the two developments would meet at the junction where the back alleys cross Wimbourne Place. I'm sure the junction was never designed to deal with the volume of traffic that these two developments would generate.

Wimbourne Place does not appear to be wide enough for vans and cars to pass as the road measures something between 4.2 and 4.4 metres. For example, Ford give the width of a transit van at 2.46 metres (including wing mirrors) and the Ford Focus at 2.01 metres (including wing mirrors). They could not pass without smashing mirrors or mounting the pavement. Unfortunately the pavement itself is substandard according to the Head of Transportation's comments (in March). This is very surprising because Wimbourne Place connects the pedestrian crossing on the Promenade with Clifton Drive and is an important pedestrian route. The Head of Transportation stated in March 2016:

"the lack of a standard footway creates conflict between pedestrians and drivers".

Has this (and the various other points raised by the Head of Transportation) been resolved?

There are also concerns about the proposal that the 'Burlington Road West' end of the back alley could be used as an alternative entrance/exit to the car park. This seems highly questionable to me. The alleyway narrows significantly at the Burlington Road end allowing single lane traffic only. Also any cars exiting here would have restricted sight-lines due to hotel forecourt parking on either side of the exit. The exit is further complicated by having to drive across the pavement (no actual roadway - just dropped kerb) and then pass between cars parked on Burlington Road West - again with restricted views. The exit can be blocked at times by on-street parking (see pictures). I do think that some sort of safety audit should be carried out to check the safety of both this and the Wimbourne Place exits.

Does Council policy AS1 (requiring safe and appropriate access) apply here?

There are two further issues. The first was mentioned by the Head of Transportation in March when referring to the back alley:

"The street is unadopted highway, therefore responsibility lies with the frontages"

I'm not aware of any discussion on this point but I'm assuming there could be legal issues unless all of the 'frontages' agree with the proposal?

And there is the outstanding query on the right of way behind the garages which formerly belonged to the Ocean Bay Hotel. Land Registry documents show a footpath clearly marked behind the garages and crossing part of the proposed car park (which would reduce the number of parking spaces).

Surely, the Council cannot make a decision on the plans until this right of way query is resolved?

Finally, I'd suggest Rhoda Court provides a good example of an appropriate building in terms of size and scale for the neighbourhood. I understand it's a fairly recent development on Clifton Drive and at four storeys it relates well to neighbouring buildings. It appears to be fully let and shows that smaller developments can be successful in the area. Crescent Court on the Promenade is an older development but similarly demonstrates how a four storey residential block can work in the location - specifically on seafront this time.

**Owner/Occupier, Ocean Bay Hotel, 583 New South Promenade, Blackpool, FY4 1NG
(Objects)**

My objections have not changed from the previous meeting.

My objection is that the main front line of the hotels in the crescent is not being followed and the new plans for the Kimberley protrude too far forward which meets the line of the end of my sun porch, so my main building is set back 1.8 metres, it should be following the curve of the crescent. The corner of Harrowside Place where it meets New South Promenade also comes forward which does not affect anyone, but should taper in to meet my property. The building should not be a blot on the landscape but be sympathetic with the rest of the buildings

The plans have been altered slightly as I did object about this and the new plans have just had "the corner cut off", a straight wall is still protruding forward on the plans before it is "cut off". The photos I have sent you are of bedroom number 7, the corner window in the bay will face directly onto a brick wall, there are only the two panes of glass to these windows, which means if one is totally blocked by a brick wall that's 50% of light being lost in that room. From one photo you can see the roof on my sun porch and how it is shaped, this is how far the main building will be brought out with an estimated five/six storeys in height. Bringing the main building forward will block early morning and early afternoon light and sun from my property, also my guests and I do not want to look out our side sun room window plus bedroom 7 and have a view of a brick wall, as now I can see down the crescent.

My sun room and bedroom windows are bay windows, which have side windows. Bedroom 7 is a single room so the bay window is split in half, so two rooms share that bay window. There are only 2 glazed units in that room, with the proposed plans one of the windows will look out on to a brick wall, this is not acceptable. Why should I be in the shadow of another building?

I am in the crescent more or less in the centre which swoops in anyway, so as the Kimberley starts next to mine and also is in the centre of the crescent and swoops in too, it's my opinion this property should also mimic the line of a crescent as it does now.

The first and second floor of all the hotels sweep in beautifully then with the proposed plans, the rest of the crescent will jut out by 1.8 metres? Bringing it out forward (proposed 1.8 metres) will make me feel closed in and set way back. We are in a crescent and the buildings should represent this. I purchased the Ocean Bay two and half years ago and spent a lot of my time and money in the property and have greatly improved it. I am doing my bit to improve

South Shore, just because I am the minority I still want my objections to be taken seriously! I am just as desperate for a development to take place to these hotels but not at a cost to my business.

Also I believe that there is a right of way at the back of these hotels, and in the new plans are being used up as a car park for the new build. If this is the case I would have no access to my property. At present I have to move the metal fencing the Kimberley hotel has put up every week just so I can take my bin out for collection, also we need to take cycles out the back way as we cannot bring them through the hotel. We are doing a lot of alterations to the property and need to bring in building materials etc. The Alderley Hotel has complained to the Council about me using their land. Without this right of way I will have no way of entering my property from the back. Please look at the plans that I have had to purchase for evidence. I need a right of way and use it often!

The photographs referred to in the objection are appended to this report at Appendix 4(a).

Mr P Harrison, 28 Clifton Drive, Blackpool, FY4 1NX (Objects)

is this really a serious application? The old application form used with the old apartment numbers (placed in the wrong column) badly snowpaked out and the form not even completed regarding the amount of car parking. A serious application for redevelopment needed to upgrade this area is being made into a joke. The same problems remain, too many apartments, development too high bad, access and totally inadequate car parking.

It is the height that determines the impact of the development on views, vista and skyline. A tall building gives an overbearing relationship to the houses on Clifton Drive and overshadows the surrounding area. With yet again no sun path diagrams included we can only guess at the impact.

The service road at the rear was never designed for this amount of traffic movements. There is no available information regarding visitor/disabled parking or a turning circle available for emergency/ utility vehicles. According to the government website a waste collection vehicle requires a turning circle of 20.3 metres, a minimum street width of five metres and a maximum reversing distance of 12 metres free from obstacles or visual obstructions. Who will pay when the inevitable happens and yet again my garden wall is damaged due to a badly turning utility vehicle. The access problems still remain as the junction between the back road and Wimbourne Place is very narrow with zero visibility, especially when cars are parked in the side driveways of the residential housing. Even a small car tends to use nearly the full width of the carriageway which is inadequate to turn, a dangerous manoeuvre for both pedestrians and cars. No swept path analysis is available for this four way junction.

Balconies at the rear overlooking the detached properties on Clifton Drive would destroy the residents' right to privacy. For this development to go ahead and be successful and be a development that Blackpool could be proud of, a new access road should be built from the Promenade through the grassed area suitable width for two way traffic. The amount of apartments and height reduced and a one way system for vehicles around the car park.

Wimbourne Place should be closed from the back street to the entrance on Clifton Drive allowing access only for the residents on either side. A four storey building would then be totally adequate in height. If the proposed new development on the other side of the Solaris Centre can be reconfigured to include less apartments, reduction in height and one car park space per apartment why cannot the same regulations be applied to this one, especially as I believe that development has no three bedded apartments and this has nine, so will require more parking not less. Wimbourne Place is only 4.2 metres wide and as the largest size vehicle used by waste collectors in Blackpool is 11 by 3 metres wide this is a collision waiting to happen.

Mrs J Ladkin, 38 Clifton Drive, Blackpool, FY4 1NX (Objects)

I am writing to express my views regarding this latest application which is not so very different from the last one. The part of the building which rises to seven stories will be directly at the back of my house. I consider this to be far too high and far too close to my two storey house. Building balconies at the rear will be far too intrusive for the residents of Clifton Drive as there would be no privacy at the rear of our properties. Not to include again a daylight/sunlight assessment is unacceptable as any daylight/sunlight will be lost very early as the backs of the houses face directly west. My garage and driveway are situated on the corner of Wimbourne Place and the narrow back street. A car parked in my driveway will completely obscure from view any oncoming traffic coming down Wimbourne Place from Clifton Drive. Wimbourne Place and the back street are far too narrow to accommodate two-way traffic. These hotels were built in the 1930's when car ownership was not on the level that it is today. To think that this access can cope with all the traffic that these apartments would generate is ridiculous. as is not providing at a least one car park place per apartment. Where will visitors park? As there is not room for any more parking in the surrounding area, it is now at saturation point. During the air show there were cars parking on the grass verges.

A sensible planning application showing a reduced number of apartments, reduced height and better access to the car park at the rear is required not only for the residents of Clifton Drive but also for the safe use of access for emergency and utility vehicles.

Mr K Franks, 30 Clifton Drive, Blackpool, FY4 1NX (Objects)

Taking into consideration eight less apartments, smaller penthouse and fifth floor, this application is exactly the same as the last one which was refused. The height and size of the building is still too intensive for the plot size, the rear wings especially coming too close to properties on Clifton Drive. The balconies facing the rear of our properties on Clifton Drive would destroy any right to privacy. The vehicular access is totally inadequate especially for utility, emergency and delivery vehicles. As stated before the width of the road on Wimbourne Place pavement to pavement is only 14 feet and when built was never intended to absorb this amount of traffic. Emergency and utility vehicles would either have to reverse into or out of the car park with an eight foot brick wall on the other side of a narrow road. There is still insufficient car parking, not even one per apartment nine of which are three bedded. There has also been no allowance made for visitor or disabled parking. Residents can only guess what shadows this building would cast over the rear of residents housing, as

although the sun path diagrams are referred to in the old design and access statement, no diagram has yet again been included. If the proposed new development on the other side of the Solaris Centre can be reconfigured to include less apartments and one car parking space per apartment where the biggest apartment I believe is only two bedded why cannot the same rules and regulations be applied to this one.

Mrs P Greenberg, 24 Clifton Drive, Blackpool, FY4 1NX (Objects)

The proposed application for 91 flats is only eight less than last time, nothing else seems to have changed since they were last turned down.

The overall height and size is far too large for the site, the additional wing to the back of our properties will be far too close and invade our privacy and affect our light. The 84 parking spaces may be all right for holiday accommodation but not for all year round occupancy as the parking in the area is already at saturation point.

The single lane access road is totally inadequate for the volume of traffic and not wide enough for the utility vehicles especially refuse trucks and I don't see any plans to widen or include a turning area for such vehicles.

As this has now been going on for about eight years I feel that the applicants are trying to force through a decision as they know how much we and the Council would like to see an end to the boarded up eyesore that these hotels have been allowed to become. Yes we want things done but not at the expense of the surrounding area and the residents.

Mrs J Graham, 34 Clifton Drive, Blackpool, FY4 1NX (Objects)

Once again the plans are too high and the area would be too congested with cars; there is not enough parking for the number of people who would eventually live in these apartments. The access road which runs behind my property, would be too restricted and there would be too much strain on the surrounding area with the associated extra traffic. Too many apartments in too small a space!

NATIONAL PLANNING POLICY FRAMEWORK

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

Paragraph 11 reiterates this requirement.

Paragraph 12 states that the National Planning Policy Framework 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 - 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 development and secure a high standard of design and a good standard of amenity.

Paragraphs 47-52 deal with the supply of housing.

Paragraph 56 states that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people.

Paragraph 61 states that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations.

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 186 states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

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.

Paragraph 216 of the National Planning Policy Framework allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan Part 1: Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are:

- CS1 - strategic location for development**
- CS2 - housing provision**
- CS5 - connectivity**
- CS7 - quality of design**
- CS9 - water management**
- CS10 - sustainable design**
- CS11- planning obligations**
- CS12- sustainable neighbourhoods**
- CS13 - housing mix density and standards**
- CS14 - affordable housing**
- CS23 - managing holiday bed spaces**

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Plan Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

Policy LQ1 Lifting the Quality of Design states that 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.

Policy LQ2 Site Context states that the design of new development proposals will be considered in relation to the character and setting of the surrounding area. New developments in streets, spaces or areas with a consistent townscape character should respond to and enhance the existing character. These locations include locations affecting the

setting of a Listed Building or should be a high quality contemporary and individual expression of design.

Policy LQ4 Building Design states that 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:

(A) Public and Private Space - New development will need to make a clear distinction between areas of public and private landscaping utilising appropriate landscaping treatments. Residential developments will be expected to achieve a connected series of defensible spaces throughout the development.

(B) Scale - The scale, massing and height of new buildings should be appropriate for their use and be related to:

- (i) the width and importance of the street or space
- (ii) the scale, massing and height of neighbouring buildings.

(C) Design of Facades - The detailed appearance of facades will need to create visual interest and must be appropriate to the use of the building. New buildings must have a connecting structure between ground and upper floors composed of:

- (i) a base, of human scale that addresses the street
- (ii) a middle, of definite rhythm, proportions and patterns, normally with vertical emphasis on the design and positioning of windows and other architectural elements
- (iii) a roof, which adds further interest and variety
- (iv) a depth of profile providing texture to the elevation.

(D) Materials - need to be of a high quality and durability and in a form, texture and colour that is complementary to the surrounding area.

Policy HN4 - Windfall Sites -allows for housing development on vacant, derelict or underused land subject to caveats.

Policy BH3 Residential and Visitor Amenity states that 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 Safety - seeks to ensure air quality is not prejudiced, noise and vibration is minimised, light pollution is minimised, contaminated land is remediated and groundwater is not polluted.

Policy BH10 - Open Space in New Housing Developments - sets out the need for open space as part of developments and where full provision is not made a commuted sum should be sought.

Policy NE6 - Protected Species - seeks to ensure that development does not adversely affect animal and plant species that are protected.

Policy AS1 General Development Requirements states that development will 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, in accordance with standards set out in Appendix B

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

Supplementary Planning Guidance Note 11: Open Space: provision for new residential development and the funding system.

Holiday Accommodation Supplementary Planning Document - Bourne Crescent together with hotels to the north on the Promenade and the Big Blue hotel at the Pleasure Beach are included in the Pleasure Beach Promenade frontage Main Holiday Accommodation Area.

ASSESSMENT

Principle of the proposal - the whole of the Crescent and the Henderson Hotel fronting Wimbourne Place are within Pleasure Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Council's Holiday Accommodation Supplementary Planning Document. The aim of the designation which dates from 2011 is to promote and support new and improved accommodation offer that contributes to resort regeneration. The intention is therefore to retain the existing floor space of holiday accommodation but at the same time permit redevelopment and improvement proposals which provide a new high quality mixed use seafront holiday accommodation and residential offer.

Since 2011 the Kimberley Hotel has ceased trading and has been boarded up, as has the Warwick Hotel, and the Palm Beach Hotel has suffered extensive fire damage. In 2015 planning permission (15/0271) was granted for redevelopment of the Palm Beach Hotel (immediately to the south of this site) for the erection of a 130 bedroom hotel of four storeys in height, with associated car parking at ground level and servicing. The Palm Beach Hotel and the Warwick Hotel are due to be demolished soon. In addition, since 2011, the Henderson Hotel has ceased trading. Whilst the redevelopment of the Palm Beach Hotel as hotel accommodation indicates confidence in this location for hotel accommodation, the closure of the Warwick, Kimberley and Henderson Hotels suggest that the area is not buoyant as a destination for holiday makers. The Council's Holiday Accommodation Supplementary Planning Document is currently being reviewed as it is five years since it was introduced. The applicants are suggesting that they cannot wait for the review to be finalised and that the circumstances with the Kimberley and Henderson Hotels and the trading position of the Waldorf Hotel mean that redevelopment for residential purposes is the only realistic option.

Policy CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 states that (within the main holiday accommodation areas) change of use from holiday accommodation or loss of sites last used as holiday accommodation will be resisted unless - exceptional circumstances are demonstrated or in relation to a Promenade frontage the proposal would provide high quality holiday accommodation alongside a supporting new residential offer. In terms of the Crescent, the Palm Beach Hotel site would provide 'high quality holiday accommodation' in the form of a new 130 bedroom hotel. Whilst not strictly supporting the Palm Beach Hotel site redevelopment, this proposal would provide for a new residential offer. Having regard to the changed circumstances of the Crescent since 2011 it is considered that the principle of residential development in this location is acceptable.

Comprehensive redevelopment of the site - the Council has sought to achieve a comprehensive redevelopment of the Crescent in the past but Members will note that it has effectively been subdivided into five quarters. The redevelopment of the Palm Beach site will represent one quarter and the application site would represent another quarter. It is not felt that the Council could at this stage seek to resist development on the basis a comprehensive approach is required.

Scale and impact on residential amenity - the proposal for the Palm Beach Hotel site would be four storeys high and would have an overall height of 14.6 metres. This proposal would have an overall height of 19 metres at the corner of Wimbourne Place and New South Promenade with the bulk of the New South Promenade elevation being between 13.6 metres and 16 metres high. Officers have suggested that the 'corner' should be higher to give it some presence and to make it a feature of the development. Indeed in the case of the Palm Beach Hotel site the suggestion was made that the corner should be higher but the applicant declined to do this. Officers have suggested that the original concept for redevelopment of the Crescent of up to 11 storeys in height is no longer realistic and that any redevelopment is likely to be in the range of five-seven storeys to reflect the height of the existing Crescent, respect the amenities of residents to the rear and to accord with the requirements of Policy LQ4 of the Blackpool Local Plan which seeks to achieve development of a minimum of four

storeys in height on the Promenade. Officers have also suggested that any wings at the rear of the main part of the building should taper in height towards the properties to the rear which front Clifton Drive. This proposal seeks to achieve this with development tapering to 8 metres in height where it is nearest to the properties fronting Clifton Drive. One of the rear wings would be 6 metres from the rear boundary of the properties and the other would be between 12.5 metres and 16 metres from the rear boundary (The Palm Beach Hotel site proposal would be 14.6 metres high and 11 metres away by comparison). The scale of development is considered acceptable.

Local residents have referred to the proposed development being too high and consider the Palm Beach Hotel proposal at four storeys to be the benchmark against which this proposal should be assessed. As mentioned above, the height difference between this proposal and the Palm Beach Hotel site proposal would not be significantly different. Windows on the rear elevation of the main part of the proposed building would be approximately 28 metres away from the rear boundaries of properties fronting Clifton Drive (at the nearest point) and this distance is considered acceptable to safeguard the privacy of the occupiers of properties fronting Clifton Drive. (The distances are – at the southern end of the building 28 metres from the rear elevation of the main part of the building to the rear boundary of properties fronting Clifton Drive and 37 metres to the rear elevation of properties fronting Clifton Drive/ in the middle the distances are 29.5 metres and 40 metres respectively and at the northern end 33 metres and 44 metres respectively.)

Residents in Clifton Drive have raised the following issues –

- height of the proposal and impact on overshadowing and privacy - *this is discussed above and given that the 6th floor would be reduced in length by 26 metres and the 7th floor reduced in length by 5 metres it is considered that the revised application would not significantly adversely affect the amenities of the residents to the rear of the application site.*
- absence of sun path diagrams - *the applicants have been asked to provide updated sun path diagrams and have said they are not in a position to do so. Officers have had to form a judgement based on the separation distances involved.*
- compatibility with Manual for Streets in terms of separation distances between the proposal and the houses - *Manual for Streets is Government guidance and hence is discretionary rather than mandatory. Whilst some of the principles are laudable it has to be viewed in the context of what can be achieved in the local context and what is viable.*
- overlooking potential from rooms in the projecting wings - *Officers consider that the windows in the wings being set at right angles to the properties in Clifton Drive will only offer oblique views of neighbouring residents houses and gardens.*

- deterioration in air quality as a result of the car park - *When deciding whether air quality is relevant to a planning application, considerations could include whether the development would: significantly affect traffic in the immediate vicinity of the proposed development site or further afield. This could be by generating or increasing traffic congestion; significantly changing traffic volumes, vehicle speed or both; or significantly altering the traffic composition on local roads. Other matters to consider include whether the proposal involves the development of a bus station, coach or lorry park; adds to turnover in a large car park; or result in construction sites that would generate large Heavy Goods Vehicle flows over a period of a year or more. Officers have advised the residents that they do not believe the change would be so significant as to warrant an air quality assessment given that it is not an area of poor air quality and given it is a residential car park.*
- increase in noise as a result of the car park - *Officers have advised the residents that they accept that there could be a noticeable increase in noise but that this would not be so intrusive as to warrant the submission of a noise impact assessment given it is a car park for a residential block and not a supermarket or retail car park where turnover of vehicles is significantly greater.*

The owner of the Ocean Bay Hotel has raised the following issues –

- the forward projection of the development and its impact on her front bedrooms and her sun lounge - *it is acknowledged that the development will project 1.8 metres in front of the main front wall of her hotel but the projection is tapered and there are bay windows with a projection of a metre on the front of her hotel and a sun lounge with a projection of some 3-4 metres so it is not considered that the tapering would have a significant impact on outlook from or light to the rooms on the front of her hotel.*
- the rear ward projection of the development and its impact on some of her bedrooms at the rear and the owner's accommodation - *belatedly this has been raised as an issue (it was not raised as part of the previous application) It is acknowledged that the main building at 17 metres in depth will be close to her hotel - between 0.8 metre and 1.2 metres from the single storey wing and 4.6 metres and 5.0 metres from the two storey wing. In addition the main part of the building will be to the south of her hotel. The proposal will have an impact on light to the bedrooms at the rear of the hotel but as these are part of the hotel, rooms where people do not spend a large part of the day, and not main living areas this relationship is considered acceptable.*

Traffic/transportation issues - the proposal would provide 84 car parking spaces for the 91 proposed flats. This represents less than one car parking space per flat but given the location opposite the tram services and bus services on the Promenade it is considered acceptable, particularly as the current situation with the existing premises offers little in the way of off street car parking. In addition cycle parking is to be provided. Bin storage would be provided at the rear and bin lorries can use the rear alley between Burlington Road West and Harrowside West. It is acknowledged that Wimbourne Place is narrow at approximately four

metres in width but the back alley is approximately five metres wide and is capable of accommodating two way traffic.

Residents in Clifton Drive have raised the following issues –

- width of Wimbourne Place - *this is covered above*
- width of the back street - *this is covered above*
- cumulative impact of this development and the Hampton by Hilton proposal - *the Hampton by Hilton Hotel would have 130 bedrooms and 38 car parking spaces (existing provision was 25 spaces). Whilst it is acknowledged that both proposals would involve additional use of Bourne Crescent, Wimbourne Place, Clifton Drive and the back street this is unavoidable if redevelopment of the frontage to Bourne Crescent is to be achieved. The car parking areas could be accessed from Burlington Road West, Harrowside West (down the back street) or from Clifton Drive into Wimbourne Place or Bourne Crescent into Wimbourne Place. This could have the benefit of diluting the flow of traffic rather than concentrating it on one junction.*
- width of footpaths in Wimbourne Place - *the pavement in Wimbourne Place would be widened to 2 metres along the site frontage (between Bourne Crescent and the back street) which would be of benefit to the occupiers of the development and local residents wishing to walk to the Promenade from Clifton Drive.*
- narrowness and visibility when exiting onto Burlington Road West - *it is acknowledged that the back street narrows as it approaches Burlington Road West and that visibility is reduced when cars are parked on the forecourts of the hotels adjacent the back street. It is considered that these constraints would mean drivers would exit slowly onto Burlington Road West thereby reducing the potential for conflict with pedestrians and other vehicles.*
- car parking standards - *Officers have advised residents that in an ideal world parking spaces would seek to be secured on the basis of 1.5 spaces per flat where parking is provided communally. However consideration needs to be given to the availability of other modes of travel and the need to reduce reliance on the private car. It has to be recognised that the site is located opposite the tram services and close to bus services on New South Promenade and Harrowside and within walking distance of the train stations at Squires Gate and Blackpool Pleasure Beach. The availability of other forms of travel and the proximity of the site to the Promenade cycleway mean that a lower requirement can be considered. It also has to be borne in mind that on most redevelopment sites in Blackpool it is not going to be possible to achieve 1.5 car parking spaces per flat and hence car parking is only one of the considerations and it has to weighed against the other issues.*

- lack of mobility spaces - *Officers have advised residents that for commercial developments it is usual to seek the provision of 10% of the spaces for mobility/parent and child use. It is not always secured for residential developments.*
- lack of visitor spaces - *Officers have advised residents that visitor spaces would usually be part of the 1.5 spaces per flat.*
- lack of delivery bay on frontage - *Officers have advised residents that the main entrances to the flats are on the front elevation so it is anticipated that deliveries would take place at the front and a delivery bay is now shown on the plans.*
- lack of swept path analysis for bin lorries reversing off the back street - *bin storage areas would be provided adjacent the back street so vehicles would not have to reverse into the aisles between the parking bays.*
- responsibility for the back street - *this is not adopted and hence it is a private matter.*

The owner of the Ocean Bay Hotel has raised the following issue –

- claimed right of way across the north eastern corner of the site - *the applicants have suggested that a 2 metres wide access could be provided without affecting the proposed car parking layout and have requested that a condition be imposed to require its provision.*

Other matters - no on site public open space would be provided and hence a commuted sum would be required. Given the breakdown of flats proposed the sum required would be £62,092. This could be secured by condition. Similarly the proposal makes no provision for affordable housing. Policy CS14 of the Blackpool Local Plan Part 1: Core Strategy requires 30% of the properties to be affordable i.e. 28. Based on the mix proposed this should equate to five one bed flats, 20 two bed flats and 3 three bed flats. This could be secured by condition. The one bed flats would exceed the national standards in terms of overall floorspace requirements (51.5 square metres compared to 50 square metres) and in terms of the internal arrangements. Similarly the two bed flats (82 square metres compared to 70 square metres) would exceed the standards but the three bed flats would be marginally below (92 square metres compared to 93 square metres). Overall the flats are considered acceptable. The bat survey has not indicated the presence of bats in the roofspace/eaves of the buildings.

CONCLUSION

The application proposes a loss of holiday accommodation in area of protected holiday accommodation and its replacement with permanent accommodation - a mixture of one bed, two bed and three bed flats. The protection was first instigated in 2006 through the Blackpool Local Plan and subsequently in 2011 through the Council's Holiday Accommodation Supplementary Planning Document. Since 2011 the Crescent has been significantly affected by the closure and boarding up of hotels and the fire damage at the Palm Beach Hotel. This

represents a significant material change in circumstances since 2011. The replacement of the Palm Beach Hotel with a Hampton by Hilton Hotel will represent significant holiday accommodation investment in the area and whilst it is not directly linked to that proposal this proposal would provide for a new residential offer envisaged by Policy CS23 of the Blackpool Local Plan Part 1: Core Strategy.

On balance, it is considered that the regeneration benefits of the proposal in terms of replacing outmoded holiday accommodation with a new residential offer outweigh the deficiency in car parking provision (although given its location the site benefits from easy access to other modes of travel and the site is within walking distance of a local centre and district centre) and possible impact on neighbouring residents and hotels and hence approval is recommended subject to a number of conditions.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

The public open space requirement (£62092) is as follows and this would be secured by condition -

23 one bed flats x £516 per flat = £10836

68 two bed flats x £688 per flat = £41968

8 three bed flats x £1032 per flat = £9288

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

Photographs supplied by local residents/hotelier

Planning Application File(s) 16/0473 which can be accessed via the link below:

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

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:
 - 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 27 July 2016 including the following plans:

Location Plan stamped as received by the Council on 2nd August 2016.

Drawings numbered -

A715/1e - site plan , A715/2d - g floor plan , A715/3b - 1st floor plan , A715/3d - 2nd floor plan , A715/5d - 3rd floor plan , A715/10 - 4th floor plan , A715/6d - 5th floor plan , A715/7 - penthouse plan , A715/8d - elevations , A715/9d – elevations.

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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

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 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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 £62092 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 SPG11. 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.

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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

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 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

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 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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 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 to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

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 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. Before any of the approved flats are first occupied details of the boundary treatment to New South Promenade, Wimbourne Place and the back street 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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

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 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 and the penthouse flat 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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

18. Before the development is commenced a lighting/security scheme for the car parking area and the back street 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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

19. Prior to the development hereby approved being first brought into use the delivery bay on the frontage of the site shown on the approved plans shall be provided and shall thereafter be retained.

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 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

20. Prior to the development hereby approved being first brought into use the widened pavement to the Wimbourne Place frontage of the site shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway/pedestrian

safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

21. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
 - I. The numbers, type and location of the site of the affordable housing provision to be made;
 - II. the timing of the construction of the affordable housing;
 - III. the arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing; and
 - IV. the occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced.

Reason: To secure the provision of affordable housing in accordance with Policy CS14 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

1. 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.
2. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as the Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Blackpool Services Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.