



Appeal Decisions

Hearing held on 4 October 2016

Site visit made on 4 October 2016

by Jonathan Hockley BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 November 2016

Appeal A: APP/J2373/W/15/3004464

Hebrew Synagogue, Leamington Road, Blackpool FY1 4HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Joseph Thompson against the decision of Blackpool Borough Council.
 - The application Ref 13/0734, undated, but registered on 21 November 2013, was refused by notice dated 11 August 2014.
 - The development proposed is described as 'external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first-floor and second floor as altered as 5 self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment'.
 - This decision supersedes that issued on 31 July 2015. That decision on the appeal was quashed by order of the High Court.
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Appeal B: APP/J2373/Y/15/3004471

Hebrew Synagogue, Leamington Road, Blackpool FY1 4HD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Joseph Thompson against the decision of Blackpool Borough Council.
 - The application Ref 13/0736, dated 7 November 2013, was refused by notice dated 11 August 2014.
 - The works proposed are described as 'external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first-floor and second floor as altered as 5 self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment'.
 - This decision supersedes that issued on 31 July 2015. That decision on the appeal was quashed by order of the High Court.
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Decisions

1. Appeal A is allowed and planning permission is granted for external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first-floor and second floor as altered as 5 self-contained permanent flats with associated basement cycle storage, rear
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bin store, landscaping, car parking and boundary treatment at Hebrew Synagogue, Leamington Road, Blackpool FY1 4HD in accordance with the terms of the application, Ref 13/0734 , undated, but registered on 21 November 2013, subject to the conditions set out at the end of my decisions.

2. Appeal B is allowed and listed building consent is granted for external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first-floor and second floor as altered as 5 self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment at Hebrew Synagogue, Leamington Road, Blackpool FY1 4HD in accordance with the terms of the application Ref 13/0736 dated 7 November 2013 subject conditions set out at the end of my decisions.

Preliminary Matters

3. Within the evidence there is a plan of the proposed Raikes Conservation Area, within which the appeal site lies. It was confirmed at the Hearing by the Council that this Conservation Area is now designated.
4. Prior to the Hearing the Blackpool Local Plan Part 1:Core Strategy 2012-2027 was adopted (the CS). This Plan includes the relevant policy CS13, which has superseded policy HN5 of the Blackpool Local Plan (the LP), which was adopted in June 2006.

Main Issues

5. Based on all that I have read, seen, and the discussions at the Hearing, I consider the main issues in these cases to be as follows:
 - Whether the proposal would preserve the special architectural and historical interest of the Grade II listed building, and whether the proposal would preserve or enhance the character or appearance of the Raikes Hall Conservation Area;
 - Whether the proposal would harmfully intensify the existing over concentration of flat accommodation in the Defined Inner Area of Blackpool; and
 - Whether future residents of the proposal would experience acceptable living conditions, with particular regard to outlook and sunlight.

Reasons

6. The appeal site lies in the north west corner of the suburb of Raikes, situated to the south east of the centre of Blackpool. The area is generally a well preserved example of a mainly early 20th century suburb. Streets within the Raikes Hall Conservation Area (RHCA) are roughly arranged in a grid pattern and buildings are mainly terraced and semi-detached houses. Within the area there are a number of notable religious buildings, of which the appeal site is one.

Heritage Assets

7. The Synagogue is Grade II listed and is detailed in the listing as being constructed in 1916-1926, with alterations and additions in 1955 to the rear, and 1976 to the side. The building is constructed in red brick with ashlar dressings. The main range, constructed earliest, has a gable ended frontage with a low parapet, behind which rises an octagonal dome. This element of the building is designed in Byzantine style, with a detailed façade including round arched upper windows with voissoirs to head and keystones, and chequer-board banding between stages. A range to the right, stated to have been constructed in 1976 following the demolition of the adjacent house, is of simpler design and contains the main entrance to the building with a window above.
8. The left return runs alongside a narrow one way street, and has an original section and an extension. Windows in the original element have similar window designs to the façade, although the upper level windows are simpler, with keystones. The rear extension bays have plainer window surrounds and a flat roof, which is set at a lower level than the adjacent original building. Many of the windows, both on the façade, on the left return and on the rear of the extension contain stained or leaded glass depicting a variety of scenes from the Torah. Those in the façade are stated to be of an age range from 1921-1931¹, aside from one bay which is believed to contain glass which comes from a different synagogue, and predates the building. The windows in the rear extension are of a similar age to the extension itself, 1955.
9. Internally the original hall has many original features, including a counter levered gallery, and some pews. Evidence details how some features such as a prominent Bimah (a reading desk) in the centre of the hall were added at a later date. In the basement of the building an original Mikveh (a ritual bath) is still located. It is stated that such a feature is rare.
10. The synagogue has been empty for a number of years and was deconsecrated in 2012. The Council state that the building is on the Historic England heritage at risk register. There is extensive evidence of fly tipping around the site and of ingress into the building; at the Hearing I heard anecdotal evidence of break ins and attempted arson attacks. The doors to the property are boarded up and the windows protected. Evidence suggests that the building requires extensive repair.
11. The Planning (Listed Building and Conservation Areas) Act 1990 (the Act) requires special regard to be given to the desirability of preserving a listed building and any features or architectural interest it possesses. The significance of the Synagogue, as far as its exterior is concerned, lies essentially in its architectural design and detail and its distinctive fenestration. The significance is added to internally by the remaining original features of the building, and the retention of the fine and high quality stained and leaded windows, particularly those located in the original area of the building.
12. Section 72(1) of the Act states that special attention must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The RHCA can be characterised as a well preserved

¹ 'Conservation Options Appraisal, Risk Assessment and Management Plan: Blackpool Synagogue, Blackpool'. JS Conservation Management and Town Planning, September 2013

- example of a late Victorian/Edwardian suburb with notable religious buildings. The area is largely unified by the use of distinctive red brick and the rough grid pattern to the streets in the area. The history of the area and its emergence due to changing attractions and growth of the town also add to its significance.
13. Saved LP policy LQ9 states that proposals for the alteration or extension of a listed building will only be granted consent where the essential character of the building is retained, including any features of architectural or historic interest which contribute to its reasons for listing. Policies LQ1, LQ2, and LQ14 of the LP together state that all new development will be expected to be of a high standard of design and make a positive contribution to the quality of its surrounding environment. Developments should respond to and enhance the existing character of conservation areas.
 14. The proposal effectively involves the segregation of the rear extensions of the building from the original worship space and the side 1970s extensions, with the conversion of the rear areas to 5 2 bedroom flats. The proposal would also involve the erection of a part two storey, part single storey extension to rear. The synagogue would be reduced in size and would be serviced by an office, a meeting room, kitchen and toilets. As part of the proposal this element of the building would be brought up to the latest relevant accessibility standards.
 15. The proposal would, by the subdivision, of the buildings and conversion of the rear into flats, result in a loss of connectivity between the original synagogue and its supporting meeting and classrooms. Whilst the rear extensions are of later date and are of less significance architecturally, the building was listed as a whole in 1998. The subdivision of the structure and the loss of the functional whole of the overall building would reduce the stature of the heritage asset and thus harm the significance of the building.
 16. The rear areas of the building that are proposed to be converted contain some stained/leaded glass windows at upper floor levels. There are various proposals for these windows, ranging from leaving them in place to act as windows in the new flats, to recording and removal, or to moving them to alternative locations within the front part of the building which would be kept as a community asset. At the Hearing it was stated that the majority of these windows could remain in place, but that some would have to be relocated to the front part of the building. At the Hearing the Council accepted this proposition. However, despite this I still consider that the relocation of some windows within the building would cause harm to the significance of the building. The listing specifically notes the stained glass throughout and the movement of some of the rear windows, despite being of later vintage than those in the façade and original left return of the building, would have a negative impact on the property, by virtue of a break in their association with their immediate location.
 17. The National Planning Policy Framework (the Framework) makes it clear that when considering the impact of a proposed development on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and as they are irreplaceable, any harm should require clear and convincing justification. For the reasons given above, I consider that the proposal would result in harm being caused to the significance of the listed building and that in so doing it would also fail to preserve the historic character and appearance of the RHCA

- to which the listed building makes an important contribution. However, given that the original building would be retained largely in its present form I agree with both parties and consider that the degree of harm caused would be less than substantial.
18. In such situations this harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. These can be briefly summarised as primarily stopping the deterioration of the building, through, in the appellants view, making the size of the synagogue more manageable, repairing and maintaining the building to make it more likely to be sold/let and improving site security by the provision of the flats to the rear of the building.
 19. I have considered this matter carefully. It is clear that the building has deteriorated significantly since it was in use, and that this process of deterioration would continue without the proposals being allowed, or a buyer/renter being found for the whole building.
 20. Paragraph 130 of the Framework states that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision. However, I do not consider that the deterioration of the synagogue is down to deliberate neglect or damage. The building has been made as secure as possible to stop break ins and thefts. The stained glass windows have been fully protected, and appear to be sound, aside from issues of rot to window frames. The appellant has clearly spent money on securing and protecting the premises, and some evidence of cosmetic works, such as cutting of a hedge at the front of the building was present when I was on site. The deterioration of the heritage asset is primarily down to the non-use of the building, and the lack of day to day maintenance and surveillance that this entails. I do not consider therefore that paragraph 130 applies in this case.
 21. Evidence submitted² (the Duxburys letter) states that the property has been for sale and for rental since September 2012. The Council raise concerns over this marketing of the property, both since 2012, and in documents submitted at the Hearing³. I note the sales particulars previously submitted which indicate that the building was being marketed for sale or rent either as a whole or in part but this appears to me to be reasonable to consider options for a viable tenant or purchaser. The appellant apologised for the misleading sales particulars which were produced at the Hearing, stating that they were a mistake and should not have been published. Given the planning history of the site I can understand such an error.
 22. The evidence states that 34 viewings have taken place of the property, but that none of the viewings, due to issues such as the accommodation configuration, the costs of works to upgrade the premises, the location of the building and lack of parking, have resulted in the property being leased or purchased.
 23. At the Hearing an interested party submitted a letter expressing her interest in the whole property⁴. Ms Sorhaindo states that she would like to consider the building for use as a community health centre, including using the premises as a place of worship for the Seventh Day Adventist Church. Ms Sorhaindo

² Document submitted at the Hearing, No 5.

³ Document 4

⁴ Document 1.

detailed her proposals and financial situation at the Hearing and I have no reason to doubt the veracity of her claims. However, I have no firm guarantee of how, or if the proposals could work in practice, or if her proposal would generate the funds to overcome the issues detailed in the letter from Duxburys. This letter notes that following internal viewings none of the 34 parties decided to lease or buy the property and I cannot guarantee that the genuine interest demonstrated by Ms Sorhaindo at the Hearing would materialise into a realistic or viable offer for the premises. Ms Sorhaindo also notes that the agents had been somewhat obstructive in her attempts to view the building. However, at the Hearing the appellants appeared receptive to her ideas and were happy for her to attend the full site visit.

24. The Council consider that the greatest threat to the building is redundancy and that the separation of the building could undermine its viability, reducing the chances of securing a new and sustainable use for the whole building. Similar views are expressed by Historic England. However, I am not convinced that the retention of the whole unit is desirable in marketing terms. Aside from the evidence submitted, at my visit I noted the sheer size of the building and its ancillary rooms. I consider that such a large facility would be hard to let or sell in an area with limited on street parking, notwithstanding any issues concerning the costs of building maintenance.
25. The proposal would, as well as reducing the overall size of the building and thus maintenance costs, also bring the structure up to modern day standards. A reasonably sized meeting room would remain, along with an office which could also be utilised, a kitchen and up to date toilets. It thus seems to me that the sub division of the unit provides positive opportunities in terms of securing a permanent viable use for the original synagogue and its side extension. A submitted unilateral undertaking⁵ (the UU) undertakes to conduct 12 months of professional marketing for the retained synagogue to try to achieve a successful purchaser or tenant for the building. I also note in this respect the conditional support of Jewish Heritage to the proposals.
26. The UU also confirms that within 3 months of commencement of development a submitted schedule of works of repair and renovation to the retained synagogue would be carried out, making the front of the original building more likely to be let or sold, bringing it largely up to modern day standards and repair. The schedule of works in this respect is relatively old, being dated December 2013, and as such new items may well have arisen in the 3 or so years which have passed since the date of this schedule. A condition could be used to ensure that this schedule is brought up to date, which would be necessary in the interests of the maintenance of the listed building. The appellant indicated that they would be content for such a condition to be imposed. The provisions within the UU would be necessary to make the development acceptable in planning terms, are fairly related and reasonably related in scale and kind to the proposal, and are directly related to the development.
27. The scheme would effectively utilise the rear of the building giving life to this part of the structure, having benefits in terms of security, with the use of the rear of the building making surveillance of the side alleyway more prevalent and reducing the risk of further theft or vandalism of the remaining synagogue.

⁵ Thompson Property Investments Limited, 24/06/15

28. I have paid special regard to the desirability of preserving the listed building as it stands at present. Less than substantial harm does not equate to a less than substantial objection, and I place significant weight on the harm that the proposal would cause to the significance of the asset. Nevertheless, when combined I consider that the public benefits of bringing the rear of the building back to life, the security benefits of the scheme, and in renovating and repairing the original synagogue would outweigh such harm, and that the proposal would comply with the Framework.
29. I therefore conclude that whilst the proposal would cause some harm to the special architectural and historical interest of the Grade II listed building, such harm would be outweighed by the public benefits of the scheme. Such benefits would also outweigh the non-compliance of the scheme with Policy LQ14 of the LP. Furthermore, for the reasons given above the proposal would enhance the overall character and appearance of the Raikes Hall Conservation Area and the proposal would comply with LP policies LQ1, LQ2 and LQ9.

Flat accommodation

30. The appeal site lies within the defined Inner Area of Blackpool. Within this area, Policy HN5 of the LP states that proposals for conversion for residential use will not be permitted which would further intensify existing over-concentrations of flat accommodation and conflict with wider efforts for the comprehensive improvement of the neighbourhood as a balanced and healthy community. Policy CS13 of the CS has similar aims and states that developments including more than 10 flats are unlikely to be acceptable on sites in the inner area and where flat development are permitted, at least 70% should be 2 bedrooms or more.
31. Evidence submitted by the Council, both prior to and at the Hearing⁶, demonstrates that there are a very high percentage of 1 person households within the neighbourhood⁷, of nearly 60%. A similar percentage of dwelling types in the area are flats. Such a concentration of small one person flats contributes to socio-economic problems in the town and the development plan policies aim to rebalance the housing stock and provide a wider choice of homes to attract differing types of households and promote community cohesion.
32. The proposal seeks to create 5 flats in the property, of which all, or 100%, will have 2 bedrooms. Such a development would clearly further intensify the existing over concentration of flat accommodation in the neighbourhood. However, the flats themselves are of a reasonable size. Flats 1, 2, 3, and 5 have around 70m² floorspace and have a reasonably generous double and single bedroom, as well as separate kitchen and lounge areas. Flat 4 is larger and has 2 double bedrooms and a larger kitchen diner. All flats would have access to a fairly large roof garden, and accord with the minimum space standards for 3 person flats (flats 1,2,3 & 5) and 4 person flats (flat 4) contained within Council guidance⁸.
33. Furthermore, the flats for the reasons given above would, I consider, contribute towards the improvement of the neighbourhood as a balanced and healthy

⁶ Document 3

⁷ Defined as Blackpool 010C

⁸ 'New Homes from Old Places', Residential Conversion and Sub-Division Supplementary Planning Document, Blackpool Council, March 2011

community. Whilst adding to the concentration of flats in the area, given the size of the proposed units it is likely that they will attract larger households than single people and the contribution of the scheme to the improvement of the area, bringing into use the rear of the building and the circulation of people and natural surveillance that this will provide for, as well as the repair and improvement of the original synagogue would contribute towards the betterment of the neighbourhood.

34. In such a way I consider that the proposal would comply with policy HN5 of the LP, and to policy CS13 of the CS. Whilst the proposal would intensify the existing over concentration of flat accommodation in the Defined Inner Area of Blackpool, such intensification in this particular instance would be positive and not harmful.
35. The Council submitted an appeal decision⁹ within their evidence. In this decision the Inspector concluded that the proposed conversion of a mid-terrace property in nearby Church Street would have an adverse effect on the overall mix of housing in the area. However, this case differs in the public benefits it provides, thereby helping to improve the neighbourhood and realise the overall aims of LP policy HN5 and CS13. Furthermore, each case must be dealt with on its own merits.

Living Conditions

36. I do not consider that the retention of stained glass to windows in residential properties is necessarily inappropriate, but it is clear that such retention may have the potential to restrict light and outlook from the proposed flats. This could be an issue in the double bedroom of Flat 3 on the 1st floor and the rear bedroom of Flat 4 on the same floor, and in the Flat 3 kitchen. The large lounge kitchen diner in Flat 4 would be served by 4 windows, including 3 stained glass ones. However the number of windows serving this room, including one clear glass one, would provide ample sunlight and the clear window would maintain outlook.
37. However, the movement of some of the windows where necessary to the front and potentially to the rear of the upper floors of the retained synagogue building could alleviate many such issues as mentioned above. Such movement could be achieved via condition, the wording of which was proposed and agreed by both parties during the Hearing.
38. The lounge window of Flat 3 would be located very close to a building return housing a proposed office. This window would likely not present a satisfactory outlook or provide enough sunlight for the future users of the lounge. The Council also raise concerns over the outlook from the lounges of the ground floor flats
39. In the respect of the lounge of Flat 3, a condition to allow for some internal reconfiguration and handing of the unit to move rooms around would help in this regard. Whilst the ground floor units would have an outlook set reasonably close to the floor, there is space for landscaping between the window and boundary wall and the outlook across this space, and across the alleyways to the side and rear is not dissimilar to many such outlooks in terraced properties across the country.

⁹ APP/J2373/A/13/2207504

40. I therefore conclude that, with the imposition of relevant conditions, future residents of the proposal would experience acceptable living conditions, with particular regard to outlook and sunlight. Such conditions would also ensure that the proposal complies with Policies LQ14, HN5 and BH3 of the LP, which together seek to ensure that proposals for alterations or extensions are well designed and detailed and maximise residential amenity.

Other Matters

41. Policy BH21 of the LP states that proposals which would lead to the reduction in size of a community facility will not be permitted unless the facility is appropriately replaced, or the applicant can demonstrate that there is no longer a need for the facility or its alternative use to meet other community needs. However, for the reasons detailed above in paragraphs 21-23 I consider that it has been demonstrated that there is no longer a need for the full size of the existing synagogue for community needs and the proposal therefore complies with this policy.

42. A neighbour raises concerns over car parking and refuse collection. I note in this regard that only 2 car parking spaces would be provided at the rear of the building. However, the site is located in a sustainable location, a short walk from the town centre and Blackpool North train station and I note that the Council's Highways Officer has no objections in this regard. The proposal includes an adequately sized bin store at ground level for the future occupants of the flats.

43. Aside from the building works and marketing programme for the retained synagogue, the submitted deed of obligation would also ensure a payment for open space provision in the town is made within 7 days of commencement of development. This accords with LP policy BH10, which states that where site constraints preclude making the provision of sufficient open space to meet the needs of its residents, a commuted sum may instead be made to improve such provision and meet the needs generated by the development. The payment provided by the UU is therefore directly related to the scheme, would make the development acceptable in planning terms and is fairly related and reasonably related in scale and kind to the proposal.

Conditions

44. I have imposed the standard conditions relating to implementation and accordance with plans on both appeals, for the avoidance of doubt and in the interests of the proper planning of the area. On both appeals I have also imposed conditions relating to the approval of all materials for external faces of the building, a scheme for the protection and relocation of the stained/leaded glass windows, the making good of all works, and for an updated building condition survey and schedule of works to be carried out and implemented. As above, I am conscious in this respect that the existing schedule of works dates from 2013 and will require updating. Such conditions were discussed at the Hearing, and are all necessary to preserve the special architectural and historic interest of the building. A proposed condition to prevent the removal of any windows from the site without the written consent of the Council was also raised at the Hearing. However, I do not consider that such a condition would add anything to the window scheme mentioned above which would provide details of the plans for all stained/leaded windows on the site.

45. In the interests of the character and appearance of the building itself and the wider conservation area, as well as the living conditions of future residents, I have also imposed conditions relating to the hard and soft landscaping of the site, including that of the proposed roof garden.
46. For Appeal A I have further imposed conditions to ensure that the proposed cycle and bin stores, as well as the parking spaces, are provided prior to the occupation of the flats. Such conditions are necessary in the interests of the character and appearance of the area, local highway safety, and the living conditions of future residents. I have also imposed a condition suggested by the Council restricting future internal reconfigurations, aside from those required to amend the location of the lounge in Flat 3, details of the relocation of which are provided for in a further condition. Such conditions are necessary in the former example to ensure that the flats remain as 2 bed units and in the latter condition to ensure that the future occupants of Flat 3 experience acceptable living conditions.
47. Finally, I am conscious that the proposal would result in residential properties situated directly next door to a former synagogue, which could have a range of community activities taking place within it. Such activities could have the potential to disturb future residents of the proposed flats. This matter was discussed at the Hearing and I consider that a condition on both appeals to ensure appropriate noise insulation and mitigation is necessary.

Conclusion

48. I have concluded that whilst the proposal would cause some harm to the special architectural and historical interest of the Grade II listed building, such harm would be outweighed by the public benefits of the scheme. Furthermore, whilst the proposal would intensify the existing local over concentration of flat accommodation, such intensification would not be harmful in this instance, and with the imposition of conditions the proposal would not have an adverse effect on the living conditions of the future residents of the proposal. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeals should succeed.

Jon Hockley

INSPECTOR

APPEAL A: SCHEDULE OF 13 CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Reference O1469133, A012/081/P/01 Rev B, A012/081/P/02 Rev B.

- 3) No development shall commence until details of all materials to be used on the external elevations, including new and replacement windows and window surrounds have been submitted to and approved in writing by the local planning authority. The relevant works shall be carried out in accordance with the approved details.
- 4) No development shall commence until a scheme for the protection of, and as necessary, the relocation of all the existing stained/leaded glass windows in the building has been submitted to and approved in writing by the local planning authority. The flats shall not be occupied until the agreed scheme has been fully implemented.
- 5) No development shall commence until an updated building condition survey and schedule of works at Annex 2 to the executed Section 106 obligation, including details of stained/leaded glass window repairs, methodology and details of materials to be used has been submitted to and agreed in writing by the local planning authority. All of the works identified in the schedule shall be completed prior to the occupation of the flats.
- 6) All making good beyond what is included in conditions 3, 4, and 5 above shall be undertaken with materials and methods to match the existing.
- 7) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, including full details of the proposals for the roof garden. The scheme shall include details of proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans, specifications and schedules (including plant sizes, species and number/densities), existing landscaping to be retained and protected throughout the course of development, and detail how account has been taken of any underground services.
- 8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All hard landscaping works shall be carried out prior to occupation of the flats.
- 9) No flats shall be occupied until the bin and cycle storage shown on the approved plans has been provided. Such storage facilities shall be retained thereafter.
- 10) No flats shall be occupied until the car parking provision has been constructed in accordance with the approved plans. The parking areas shall be retained thereafter.
- 11) No development shall take place until an amendment to approved plan No A012/081/P/02 Rev B to relocate the lounge in Flat 3 to face west has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved amendment.

- 12) No flat shall be occupied until the external alterations and the internal layouts and arrangements have been provided in accordance with the approved plans, aside from the precise arrangements of Flat 3 as required by Condition 11. The layout of the accommodation and arrangements hereby approved shall thereafter be retained.
- 13) Construction work shall not take place until a scheme for protecting the proposed flats from noise from the retained synagogue shall have been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before the flats are occupied and retained thereafter.

APPEAL B: SCHEDULE OF 9 CONDITIONS

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The works hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Reference O1469133, A012/081/P/01 Rev B, A012/081/P/02 Rev B.
- 3) No works shall commence until details of all materials to be used on the external elevations, including new and replacement windows and window surrounds have been submitted to and approved in writing by the local planning authority. The relevant works shall be carried out in accordance with the approved details.
- 4) No works shall commence until a scheme for the protection of, and as necessary, the relocation of the existing stained/leaded glass windows in the building has been submitted to and approved in writing by the local planning authority. The flats shall not be occupied until the agreed scheme has been fully implemented.
- 5) No works shall commence until an updated building condition survey and schedule of works at Annex 2 to the executed Section 106 obligation ,including details of stained/leaded glass window repairs, methodology and details of materials to be used, has been submitted to and agreed in writing by the local planning authority. All of the works identified in the schedule shall be completed prior to the occupation of the flats.
- 6) All making good beyond what is included in conditions 3, 4, and 5 above shall be undertaken with materials and methods to match the existing.
- 7) No works shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, including full details of the proposals for the roof garden. The scheme shall include details of proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans, specifications and schedules (including plant sizes, species and number/densities), existing landscaping to be retained and protected throughout the course of works, and detail how account has been taken of any underground services.
- 8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons

following the completion of the works, and any trees or plants which within a period of 5 years from the completion of the works die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All hard landscaping works shall be carried out prior to occupation of the flats.

- 9) Construction work shall not take place until a scheme for protecting the proposed flats from noise from the retained synagogue shall have been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before the flats are occupied and retained thereafter.

APPEARANCES

FOR THE APPELLANT:

Simon Richardson	Planning and Law Limited
David Hadwin	Keystone Design

FOR THE LOCAL PLANNING AUTHORITY

Clare Johnson	Blackpool Borough Council
Gary Johnson	Blackpool Borough Council
Carl Carrington	Blackpool Borough Council

INTERESTED PARTIES

Shirley Sorhaindo	Potential purchaser
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DOCUMENTS SUBMITTED AT THE HEARING

1. Letter of representation from Shirley Sorhanindo.
2. Letters of notification for the appeals.
3. Print out of Neighbourhood Statistics from the Office for National Statistics website
4. Print out of recent sales details for the property.
5. Letter from Duxburys Commercial, dated 3 October 2016, concerning sales and marketing details for the appeal site.