

COMMITTEE DATE: [11/08/2014](#)

Application Reference: **14/0465**

WARD: Layton
DATE REGISTERED: 25/06/14
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Minotaur Group

PROPOSAL: External alterations include two new doors to rear and provision of eight car parking spaces to rear and use of ground floor as altered as retail unit (Use Class A1)

LOCATION: LAYTON INSTITUTE, WESTCLIFFE DRIVE, BLACKPOOL, FY3 7HG

Summary of Recommendation: Refuse

CASE OFFICER

C Johnson

INTRODUCTION

Although lacking the statutory protection of formal designation, recognition that a heritage asset has local significance through a process of local listing is a material consideration in determining planning applications. The Council seeks to protect locally listed buildings from demolition, unsympathetic alteration or extension and harm to their setting. The Layton Institute including the bowling green is on the local list for its local historical significance and group value in the streetscene.

Local listing criteria which have been suggested by English Heritage (EH) are age; rarity, aesthetic or design merit; group value; archaeological interest; historical association; landmark status; social value; documentation. These also incorporate elements from the conservation principles set out by English Heritage in its 2008 guidance.

The Layton Institute is one of Blackpool's best known social clubs and has played host to famous acts including Paul O'Grady also known as Lily Savage, Joe Longthorn, the Nolans and Matt Munro. The first floor concert venue holds weekly gigs on Friday and Saturday nights from live bands, comedians and tribute acts and is also used for charity events and fitness classes etc. The club closed its door temporarily for just over a month in August 2012 but re-opened in September 2012.

A planning statement supporting the application states that the working men's club (a Class D2 assembly and leisure use) is now a public house (Class A4 drinking establishment) since the re-launch in 2012. However, such a change of use would require planning permission and no planning application to use the premises as a Class A4 public house has been made. It is stated that the property is now accessible to all (suggesting that it's no longer a members only club), but this does not automatically mean that a change of use to a public

house has occurred and it is considered that the property is still a D2 assembly and leisure use. In any case, this change has only taken place since 2012 and so has not become lawful.

An outline planning application for the erection of five, two-storey dwellinghouses with associated car parking and access from Granby Avenue (reference 14/0467) is reported elsewhere on the agenda.

SITE DESCRIPTION

The Layton Institute is red brick building with white terracotta dressed bays and decorations and was built in 1925-6 by Mercer & Duckworth of Fleetwood along with the bowling green to the rear and within the same curtilage. The Layton Institute sits on the south corner of the Westcliffe Drive and Granby Avenue junction and has approximately 1116 square metres of floorspace over two floors. There are two separate bar areas at ground floor serving a lounge and a large snooker hall area. At first floor there is a bar and stage serving a concert/events hall.

The area around Granby Avenue to the north and west is predominantly residential in character, comprising two-storey semi-detached houses with small front garden areas and/or driveways. To the east is the busy Layton District Centre (although the application site is located close to this centre it is not included within it) which is characterised by ground floor retail units on Westcliffe Drive, which is a major transport route connecting the Town Centre with Bispham and Poulton. There is a cemetery and established trees and bushes along the full length of the southern boundary of the Layton Institute and bowling green.

To the rear of the Layton Institute, there is a bowling green which has open aspect on to Granby Avenue and from Westcliffe Drive.

To the rear of the Layton Institute at ground floor, adjacent to the bowling green there is an outdoor seating area with retractable canopies to accommodate smokers. At first floor there are two large picture windows which give a view over the bowling green and two smaller windows.

The main pedestrian access to the building is from Westcliffe Drive.

DETAILS OF PROPOSAL

The application is for full planning permission for external alterations including two new doors to rear to provide access into a new ground floor retail unit (Use Class A1) and cellar and provision of eight car parking spaces to the rear with access off Granby Avenue. The upper floor would be retained as The Layton with a lounge area and snooker room with access from Granby Avenue.

Dray deliveries for the first floor club use would be received at the rear of the Institute building. Deliveries for the retail store would take place on Westcliffe Drive.

A private access road would be created off Granby Avenue to provide pedestrian and vehicle access to the ground floor retail unit and eight parking spaces. The access road would also be used for vehicles accessing four parking spaces associated with the corresponding proposal for residential development on the bowling green (reference 14/0465 reported elsewhere on the agenda).

The application is accompanied by a Planning Statement.

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of using the ground floor for retail purposes
- Impact of the use and alterations to the heritage asset
- Access to the proposed development and highway safety
- Impact on residential amenity

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

CONSULTATIONS

Head of Transportation:

If applying the parking standards and allowing a ratio of one car parking space per 24m² of floor space, 15 car parking spaces are required. The proposal only provides eight spaces including one accessible space at the rear. Spaces 9 and 10 could be allocated to this use as they have not been dedicated to either the retail use or club. Even at 10, there is a shortfall and whilst I appreciate the site opposite a part of a District Centre, the lack of adequate parking spaces will result in further demand for on-street spaces which are at a premium plus the fact that this will be a nuisance to residents on Granby Avenue.

The access road to the rear is scaling to be 5500mm in width, which would be acceptable; however there is a pinch point where the width is reduced to 4500mm at its point where it meets Granby Avenue. Frequent access by vehicles may create conflict and due to tight turning manoeuvres, this is likely to create tail backs affecting the safe operation of the public highway. Some existing on-street car parking spaces will be retained between the proposed access road and the accessible space allocated to the club, this will affect forward visibility. The access road may be shared with owners of the residential units that are proposed, if this proposal is supported, it is not clear how will this arrangement operate. The use if supported, together with the proposal to erect five dwellings, which is subject to a separate application (14/0467) will intensify the use of Granby Avenue, a quiet residential street resulting in the character of the street changing. The width of Granby Avenue is 5000mm, less in parts due to on-street parking. The use by vehicles will intensify and is likely to create conflict leading to highway safety issues. On this basis, I am unwilling to support this proposal.

Blackpool Civic Trust:

Objects to this and the corresponding application 14/0467 - These applications are to radically alter the existing building, put a retail unit on the ground floor, and continue the 'pub' on the upper floor, then to build five two storey houses on the bowling green behind the Institute. This seems to me to be a very bad plan indeed. The retail unit with associated access road and parking spaces will be very tight indeed and will certainly 'argue' with the pub and proposed houses. The bedrooms of the proposed houses will be on the same level as the 'pub'. Hardly conducive to family occupancy. Worst of all however is the building of the proposed five houses at all. These proposals will severely crowd this location and will take away a valuable green space with its amenity for the local community. The planning application suggests that this space is unused since the closure of the bowling club. This is untrue. It is used by a variety of groups for a variety of activities.

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.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 4th July 2014

Neighbours notified: 26th June 2014

Objections have been received from 6 and 10 Granby Avenue, 11a Eastwood Avenue and 5 Alder Grove. The objections are summarised below:

- The development would lead to the loss of a key heritage site as Layton Institute has protected status as part of a Local List of important buildings in Blackpool.
- The Bowling Green currently in place on Granby Avenue is a picturesque and tranquil part of the street, the proposal for houses and a retail development would change this completely.
- Approximately ten on-street parking spaces on Granby Avenue would be lost leading to highway safety issues.
- Granby Avenue is too narrow for two way flow of traffic and providing an access road off Granby Avenue would make the current situation worse.
- An accompanying car park would be in use throughout the day, and with the parking all being for short stays, a big increase in cars coming and going down Granby Avenue is likely.
- There is no safe place to cross Westcliffe Drive to access a new shop.
- Disabled customers won't be able to access the first floor club use and the Layton Institute is the only local establishment where disabled people can relax and meet up with friends.
- Layton currently supports a plethora of retail outlets and another would appear to offer residents nothing new.
- The intention to locate all of the club facilities in one area is unworkable to sustain the level of support which is the intention of the plan.
- It is disappointing that the owners have not consulted the users of the Layton to agree a strategy which would accommodate the aims and objectives of both parties to give maximum efficiency and value, working together for the community.

Any further comments that are received before the Committee meeting will be reported in the update note.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) came into force in March 2012 and constitutes guidance for local planning authorities and decision-takers as a material consideration in determining applications.

The core planning principles in the NPPF include:

- local authorities always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- local authorities should encourage effective use of land by reusing land that has previously been developed provided that it is not of high environmental value.

- local authorities should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- local authorities should deliver sufficient community and cultural facilities and services to meet local needs.

National Planning Policy Framework Part 2 - Ensuring the vitality of town centres.

Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. Local Planning Authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. Where an application fails to satisfy the sequential test it should be refused. This also requires local planning authorities to require an impact for larger retail developments (i.e. with a floorspace threshold of 2,500 sqm).

National Planning Policy Framework Part 8 - Promoting healthy communities.

The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweighs the loss.
- guard against the unnecessary loss of valued facilities and services
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

National Planning Policy Framework Part 12 - Conserving and enhancing the historic environment.

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. 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.

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

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

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

- LQ1 Lifting the Quality of Development
- LQ2 Site Context
- LQ3 Layout of Streets and Spaces
- LQ6 Landscape Design and Biodiversity
- LQ8 Energy and Resource Conservation
- LQ14 Extensions and Alterations
- BH3 Residential and Neighbour Amenity
- BH4 Public Health and Safety
- BH12 Retail Development and Supporting Town Centre Uses
- BH13 District Centres
- BH16 Proposed Shopping Development Outside Existing Frontages
- BH21 Protection of Community Facilities
- AS1 General Development Requirements

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

Policies in the Proposed Submission which are most relevant to this application are:

- CS4 Retail and Other Town Centre Uses
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle of using the ground floor for retail

- Policy BH12 of the Local Plan states that development of retail uses, including changes of use will be focused on Blackpool Town Centre and in other existing centres appropriate to their scale and catchment. Such uses will only be permitted elsewhere there is a demonstrated need for the development
- the proposal would not cause material harm to the vitality and viability of... district and local centres
- the development would not undermine the Council's strategies and proposals for regenerating such centres
- a) the proposal is located in accordance with a sequential test, having regard to the need for flexibility of format, design and scale. First preference is for locations in appropriate existing centres, followed by edge of centre sites and only then out of centre sites
- b) the site is readily accessible by a choice of means of transport and is well served by public transport.

Part (a) of the policy in relation the need is no longer applicable in line with NPPF.

Policy BH13 relates to District Centres and states that the expansion of shopping uses into adjoining residential streets by the piecemeal conversion of individual properties will not be permitted. Proposals to extend the shopping frontage of these centres will only be allowed if they involve frontages that are contiguous with an existing shopping frontage, are in scale with the existing centre and can be achieved without harming residential amenity.

Policy BH16 relates to the development of new local shopping facilities outside existing shopping frontages, stating these will only be permitted where there is a demonstrable need for the development with no convenient existing local shopping provision; and the proposed development is appropriate in scale and function to the immediate walk-in local catchment. The point in relation to need is no longer applicable in line with NPPF.

Policy CS4 (Retail and Other Town Centre Uses) of the Core Strategy Proposed Submission confirms Blackpool's retail hierarchy and states that in edge of centre and out of centre locations, proposals for new retail development will only be permitted where it can be demonstrated that there are no more centrally located/ sequentially preferable, appropriate sites available; the proposal would not cause significant adverse impact on existing centres; the proposal would not undermine the Council's strategies and proposals for regenerating its centres; and the proposal will be readily accessible by public transport and other sustainable transport modes.

The Layton Institute has no allocation on the Local Plan Proposals Map and whilst located close to the Layton District Centre, it is not included within the defined area or flanked on either side by retail uses due to the presence of houses and a cemetery. The Layton District Centre begins with properties across Westcliffe Drive to the east and stretches south. The application site is not considered contiguous with the existing shopping frontage in the district centre as required by Policy BH13.

As an edge of centre site, the principle of using any part of the Layton Institute for retailing is therefore considered unacceptable in principle unless the requirements of Policy BH12 and BH16 (excluding need) and Policy CS4 are met. In particular if it could be demonstrated that the proposal would not cause harm to the vitality and viability of the Layton District Centre

or nearby local centres in the Layton area and if there was a lack of more sequentially preferable vacant premises within the District Centre or nearby local centres.

A supporting Planning Statement confirms that the intention is for a major food retailer to operate the ground floor use. However, there are 3 well established convenience stores in the area, including Tesco Express and the Co-op and a Costcutters directly opposite the Layton Institute. Therefore it is not considered that there is an over-riding need for another convenience store in this location.

The application is not supported by a retail statement or a sequential test exercise. The supporting Planning Statement refers to a feasibility exercise but the agent has confirmed that no feasibility exercise has been undertaken beyond general discussions.

There are a number of empty units within the District Centre which are sequentially more suitable for new retail uses than the Layton Institute. The Layton Institute does not have a retail shop frontage or appearance and is not considered suitable for retail use in principle.

Policy BH21 of the Blackpool Local Plan 2001-2016 states clearly that proposals which would lead to the loss of, or reduction in the size of a community facility will not be permitted unless that 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.

It has not been demonstrated that there is no longer a need for the Layton Institute as a community facility. In any case, if it could be demonstrated that the community use of the building on two floors is no longer needed/ viable, it is considered that it would be the first floor that would be more suitable for an alternative non-retail use rather than the ground floor. In summary it is therefore considered that the proposal is contrary to Policies BH12, BH13, BH16, BH21 and CS4.

Impact of the use and alterations to the heritage asset

Main Building

Although not on the national register of buildings with significant national architectural or historic interest, the Layton Institute and its bowling green are on the Local List which has been compiled by the Council, of buildings of significant local architectural or historic interest. The Layton Institute and its bowling green were recommended for adoption on to the Local List by the Planning Committee for Tourism and Culture on 16th December 2013 and were formally adopted by the Cabinet Member on 2nd April 2014.

Part 12 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. The Layton Institute and bowling green are on the Local List and are therefore considered to be non-designated heritage assets as described in Part 12 of the NPPF and this is a material consideration in determining this planning application.

Policy BH21 of the Blackpool Local Plan 2001-2016 states that proposals which would lead to the loss of, or reduction in the size of, a community facility will not be permitted unless:

- (a) the facility is appropriately replaced, or
- (b) the applicant can demonstrate that there is no longer a need for the use of the facility or its alternative use to meet other community needs.

The Layton Institute building is a landmark building which is instantly recognisable to local people and is a well established community asset. The building is attractive and has a strong character which would not fit well with a retail offer, given the lack of any shop frontage, small higher level ground floor windows and lack of opportunity for sensitive retail advertising.

The current internally illuminated signs on the building are unauthorised and are poorly designed and scaled and obscure some decorative window detailing. Other poor quality advertising banner signs are also regularly displayed on the front elevation advertising different events, sports coverage, drinks promotions etc. Introducing retail at ground floor and moving the club in it's entirety to the first floor would create increased demand for advertising the two separate uses, would inevitably lead to future applications to install an ATM machine, perhaps roller shutters over doorways, free-standing signage etc making the front elevation even more cluttered by advertisements and other features associated with convenience store retailing, to the detriment of the appearance and character of the historic building.

Introducing retail at ground floor with the principle entrance to the retail unit on Westcliffe Drive would significantly reduce the street presence of the club on Westcliffe Drive and the club use would become a secondary use as the only entrance would be tucked away on Granby Avenue which is residential in character. This would reduce significantly the legibility of the building and its historic context as a community club and would reduce the long term sustainability of the club. A large part of the clubs offer is the first floor concert room and this would be significantly reduced in size and the space shared with the current lounge and snooker hall uses, creating conflict between the different areas and reducing the viability of the club use.

Furthermore, the first floor isn't accessible to all as there is no lift. Having all of the club facilities at first floor would render the club inaccessible to some of the less physically able existing users.

Two sets of double doors would be installed on the rear elevation to provide pedestrian access to the retail store from the car park and Granby Avenue and for deliveries to the club. The rear elevation is less decorated and has less of a street presence than the front and north side elevations and design issues around these new doorways are not considered to be insurmountable and a reason for refusal alone.

Bowling green

There is a consistent approach not to show privately owned bowling greens attached to clubs/ pubs on the Proposals Map to the Local Plan. However, the bowling green is identified in the Blackpool Nature Conservation Statement (April 2008, updated May 2012) as 'open space'. Open space within Blackpool's urban area has important recreational, sports and visual amenity benefits and is highly valued by local communities. The Council will seek to safeguard all existing open space from inappropriate development unless exceptional circumstances can be demonstrated. This is supported by the NPPF (in particular paragraph 74), the National Planning Policy Guidance (NPPG) and a number of local plan policies.

The National Planning Policy Guidance which came into force earlier in 2014 states that open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can

provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure (see NPPF paragraph 114), as well as being an important part of the landscape and setting of built development, and an important component in the achievement of sustainable development (see NPPF paragraphs 6-10).

Following a debate in Westminster on 30th April 2014 regarding the protection of bowling greens, a letter was sent to Council Leaders and Chief Executives on the 9th June 2014 from Nick Boles MP (Planning Minister) and Stephen Williams (Department for Communities and Local Government). The letter confirms that the Government recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It makes clear that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown them to be surplus to requirements, or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The proposal involves partial loss of the bowling green to the rear to provide a vehicle access road and eight car parking spaces for the ground floor retail use. Although this bowling green has not been used for bowling since 2011, the area is still well maintained and used in conjunction with the Layton Institute for leisure purposes such as family fun days and fund raising events and is still considered as an important community asset, as is the Layton Institute itself.

The proposal does not include replacement facilities elsewhere and although the accompanying Planning Statement refers to a feasibility exercise, the agent has confirmed that no formal feasibility exercise has been undertaken. The applicant has not demonstrated that there is no longer a need for the bowling green, either as a bowling green or for any alternative community use, such as the way it is used currently for fund raising for charity, in association with the Layton Institute.

Furthermore, the loss of the bowling green as an ancillary leisure/ community space may affect the overall viability of the Layton Institute as an ongoing, sustainable community asset.

In terms of the heritage aspects of the application, the change of use of the ground floor of the Layton Institute, re-locating all of the club facilities to the first floor with access off Granby Avenue and the partial loss of the bowling green without justification or replacement facilities is considered contrary to Policies BH21, LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001-2016 and Parts 8 and 12 of the NPPF.

Access to the proposed development and highway safety

The Head of Transportation has confirmed that the retail use proposed would increase the demand for on-street parking in the area and in particular, on Granby Avenue, which is a quiet residential street that already has high demand for its on-street parking provision. 15 parking spaces would be required and only eight dedicated spaces would be provided, which is a significantly short of the required number. A corresponding application, reference 14/0467 for housing development at the rear would reduce on-street parking further.

On-street parking which is to be retained adjacent to the proposed access road would affect forward visibility and with the increased number of vehicle movements expected in association with the new retail unit, is likely to create conflict leading to highway safety issues. Further double yellow lines would be needed to ensure adequate visibility which would further reduce on street parking capacity.

The access road to the rear would have a pinch point of 4500mm where it meets Granby Avenue and along with tight turning manoeuvres, will lead to cars blocking the road to the detriment of the safe operation of the public highway.

The access road may be shared with owners of two residential units that are proposed under application 14/0467, if this proposal is supported there is an increased risk of pedestrian and vehicle conflict.

Currently dray deliveries are made at the front of the premises on Westcliffe Drive. Similarly, deliveries to the retail unit proposed would be made on Westcliffe Drive. However, the retail use would result in dray deliveries for the relocated club use being made either on Granby Avenue or from the rear access road via Granby Avenue. The parking of delivery trucks/ dray wagons on either Granby Avenue or on the proposed access road would lead to road blockages and loss of parking spaces which, even on a temporary basis would cause congestion and inconvenience where currently there are no reported issues regarding the dray deliveries.

No cycle parking is proposed.

It is considered that the proposal would be detrimental to highway safety and therefore contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

Impact on residential amenity

Sub-dividing the Layton Institute to provide two separate uses would result in more frequent deliveries, two bin stores (although it is unclear from the plans where the bins for each unit would be stored), associated refrigeration and air conditioning units and potentially extending the hours that the building is in use to include early morning opening times as well as late night closing times.

Currently day deliveries are made at the front of the premises on Westcliffe Drive. Similarly, deliveries to the retail unit proposed would be made on Westcliffe Drive. However, the retail use would result in dray deliveries for the relocated club use being made either on Granby Avenue itself or from the rear access road via Granby Avenue. The parking of delivery trucks/ dray wagons and associated noise on either Granby Avenue or on the proposed access road would lead increased noise levels and activity along Granby Avenue which is a narrow residential street, to the detriment of residential amenity.

It is proposed to open the retail unit early in the morning until late at night, increasing the frequency of visits to the premises and for a longer period during anti-social hours.

The cumulative impact of this increased activity associated with a retail unit at ground floor with the first floor club retained would be significantly detrimental to the amenity of future occupiers of the proposed dwellings (reference 14/0467) as well as the amenity of existing

residential neighbours on Granby Avenue and Westcliffe Drive in terms of noise nuisance and hence would be contrary to Local Plan Policies LQ1, BH3, BH4 and BH15.

CONCLUSION

- The site is not located within the Layton District Centre and whilst on the edge of this centre, it is not considered contiguous with the existing shopping frontage as required by Policy BH13.
- As an edge of centre site, it has not been demonstrated that the proposal would not cause harm to the vitality and viability of the District Centre or nearby local centres, and no assessment has been submitted to confirm that there are no more sequentially appropriate vacant premises available within the District Centre or nearby local centres as required by Policy BH12 and CS4.
- The building lacks retail character as it has no shop front.
- The Government has made clear, in a letter to Council Leaders and Chief Executives in a letter dated 9th June 2014, that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown them to be surplus to requirements, or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- The site is an identified community facility and it has not been demonstrated that there is no longer a need for the facility in its current form as required by Policy BH21.
- The first floor is not accessible to all as there is no lift. Having all of the club facilities at first floor would render the club inaccessible to some of the less physically able existing users.
- The proposal will increase demand for on-street parking along Granby Avenue which is unsuitable for increased volumes of traffic.
- Increased traffic along Granby Avenue, longer anti-social opening hours associated with early morning/ late night retailing and deliveries to the rear of the building and the general increase in activity and associated vehicle movements and comings and going would be significantly detrimental to residential amenity in terms of noise and disturbance.
- The proposal would reduce significantly the legibility of the building and its historic context as a community club and would reduce the long term sustainability of the club.
- The retail and club use would result in an increased amount of advertisement clutter on the main facade, to the detriment of the appearance of the locally listed building.
- The proposal would lead to a reduction in the on-street parking provision in the area.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None.

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

Recommended Decision: Refuse

Conditions and Reasons

1. The proposed development would result in the loss of a community facility and the applicant has failed to demonstrate that there is no longer a need for the facility or that the Layton Institute building and bowling green could not be adapted to provide an alternative community need or that replacement facilities would be provided elsewhere. The proposed development would set a precedent for similar development and uses of other clubs which would be difficult for the Local Planning Authority to resist in principle. As such, the proposals are considered to be contrary to Policies LQ1 and BH21 of the Blackpool Local Plan 2001-2016 and Part 8 of the National Planning Policy Framework.
2. The proposed development would have a significantly detrimental impact on the residential amenities of existing occupiers on Granby Avenue and the future occupiers of the proposed residential properties by virtue of increased activity around the site including more frequent deliveries and general vehicle movements to the rear of the building, two bin stores, associated refrigeration and air conditioning units and extending the hours that the building is in use to include early morning opening times as well as late night closing times. This would result in a significant increase in noise and disturbance. As such the proposals are contrary to Policies AS1, LQ1, LQ3, BH3 and BH4 of the Blackpool Local Plan 2001-2016.
3. The means of access to the proposed development would be significantly detrimental to highway safety by virtue of inadequate width at the junction with Granby Avenue (which would lead to vehicle conflict and congestion) and inadequate visibility (sightlines) due to vehicles parked on-street. Furthermore, the proposals do not provide any cycle parking and hence they would be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016.
4. The proposals are for an out of centre retail unit which would be contrary to Policies BH12, BH13 and BH16 of the Blackpool Local Plan 2001-2016. These policies seek to direct appropriate retail development to suitable sites within the existing town centre or other existing shopping frontages.
5. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 which justify refusal and which cannot be overcome by negotiation.

Advice Notes to Developer: Not applicable