

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

**Application Reference:** **14/0275**

WARD: Victoria  
DATE REGISTERED: 03/06/14  
LOCAL PLAN ALLOCATION: Local centre

APPLICATION TYPE: Full Planning Permission  
APPLICANT: Noor a Madina

**PROPOSAL:** External alterations including removal of shop frontage, re-instatement of bay windows to front elevation and use of premises as altered as a place of worship (Mosque) and community/education centre, with two ancillary self-contained flats at first floor level and associated parking to the rear, following demolition of existing rear outbuildings.

**LOCATION:** 187-197 WATERLOO ROAD, BLACKPOOL, FY4 2AE

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**Summary of Recommendation:** Refuse

**CASE OFFICER**

Miss. S. Parker

**BACKGROUND**

The application site has been occupied by Noor-a-Madina Mosque since late summer 2010, but it is understood that the site has not been used for public worship since the start of this year. Enforcement notices relating to the poor condition of the frontage were served in August 2010 and became valid from October 2010 requiring compliance by April 2011. These enforcement notices followed an investigation dating back to 2008 and are referenced 08/8552 and 08/8553. Action had been held in abeyance pending the submission and determination of a planning application. An invalid planning application seeking retrospective permission for the retention of the Mosque use was submitted in October 2010 but was withdrawn and returned two months later on the basis of inadequate information. Enforcement investigations were resumed in spring 2011 and culminated in a second planning application (ref. 11/0593) being submitted in June 2011 and validated the following month.

This second application related to a run of four properties fronting Waterloo Road, and a fifth building situated to the rear of the terrace (nos. 187-189, 191, 193-195, 197 and 199 Waterloo Road). It was stated that the properties would be used in conjunction with one another as a Mosque offering male and female prayer areas, an ancillary prayer area, a space for workshops and activities, a community lounge and television recording studio and an education and training centre which could also be used for special events and celebrations. Three existing residential flats were to be retained. It was proposed at that time that existing small outbuildings would be removed and six parking spaces would be made available for staff use with a further eight parking spaces available for use to the front of the site on the forecourt.

The application was put before the Council's then Development Control Committee on 28th November 2011 and was refused for the following reason:

*The uses proposed would generate a demand for car parking which could not be met by provision within the application site and, as such, this would lead to additional on street car parking in the area which would be detrimental to highway and pedestrian safety. As such the proposed uses on the application site and in this location would be contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.*

This decision was subsequently appealed and the appeal dealt with through the written representations procedure. The Inspector acknowledged that the level of parking proposed would fall significantly short of that required. Whilst he considered the site to be highly accessible he judged that many patrons would nevertheless arrive by private car and that vehicles parked at the front of the premises for short periods would compromise highway and pedestrian safety. He noted that patrons could park in public car parks but observed that whilst reference had been made to a shuttle bus service, no details had been provided. Similarly, he did not feel that the Travel Plan contained sufficient detail to demonstrate that measures to promote use of more sustainable modes of transport would be effective. The main Friday lunchtime prayer period was of particular concern to the Inspector who did not accept that parking could be controlled and felt that highway and pedestrian safety would be severely harmed at these times. Taking all other relevant matters into consideration, the Inspector supported the Council's decision and dismissed the appeal on 12th June 2012.

Following this decision a formal planning enforcement notice against the use of the site as a Mosque was authorised in September 2012 and served in January 2013 (ref. 10/8428). This notice was breached and legal action was therefore taken against the owner of the properties. The case was heard in court on 18th December 2013 and a fine and costs totalling £1,077 imposed.

Enforcement action has also been taken against the poor condition of the properties (refs. 12/8062, 12/8063\*, 12/8064\*, 12/8065, 12/8066\* and 12/8068\*). Legal action was taken against the owner and the starred cases were heard in court on 2nd April 2014. A fine and costs totalling £750 was imposed.

## **SITE DESCRIPTION**

The application site has been changed since the previous appealed application. The proposal now relates to nos. 187-189, 191, 193-195 and 197 Waterloo Road. With the exception of no. 191 which is a detached building to the rear, the properties are all two-storey terraced buildings. No. 199 Waterloo Road remains in the applicant's ownership but no longer forms part of the scheme. The properties fall within a large Local Centre as defined by Policy BH14 of the Blackpool Local Plan based around the junction of Waterloo Road and St. Annes Road and Central Drive. An alleyway runs along the back of the application site and separates the commercial properties fronting Waterloo Road from the residential properties fronting Gladstone Street. The access to this alleyway is from Gladstone Street. The application properties were formerly in retail and hot-food take-away uses at ground floor level but have collectively been in use as a Mosque with ancillary spaces and residential accommodation. The yard areas to the rear of the properties and around no. 191 Waterloo Road have been combined to create a large open space. At present this space accommodates some out-buildings in poor condition.

With the exception of new signage and repainting, the Waterloo Road frontage of the application site has been little altered since the conversion of the properties into a Mosque. The result is an incoherent frontage which remains in poor condition despite attempts to improve its appearance. The properties themselves are of traditional design with bay windows at first floor level at nos. 187-189, 193-195 and 197. Two of the properties (nos. 193-195 and 197) have a front gable feature. All of the properties have modern shop-fronts with large areas of glazing at ground floor level.

### **DETAILS OF PROPOSAL**

The application seeks planning permission for the use of the premises as place of worship (a Mosque) and education centre, with two ancillary self-contained flats at first floor level. It is proposed that the properties would be laid out as follows:

- nos. 187-189 - the ground floor would provide the main entrance point for the Mosque with a store room and kitchen to the rear, the first floor would remain as an ancillary residential flat;
- nos. 193-195 - the ground and first floors would remain as the prayer space;
- no. 197 - the ground floor would be used as a community/education centre with toilet and washing facilities to the rear, the first floor would remain as an ancillary residential flat.

At the rear of these properties, no. 191 Waterloo Road would be demolished to extend the open yard area which would then be laid out for car parking with seventeen spaces proposed. The submitted plans indicate a further six off-street parking spaces on the forecourt at the front of the property.

The application proposes external alterations to the front of the building to remove the existing shop-fronts and the non-original first floor bay at nos. 187-189, all of which are in poor condition. Traditional-style, angular bays would be reinstated at ground floor level below the existing, original first floor bays at nos. 191-193 and 195-197, with two new windows installed at first floor level in nos. 187-189. These windows would have stone cills and lintels and would replicate the original windows on the neighbouring property. The ground floor bay to nos. 195-197 would incorporate a central doorway providing access into the education/community space. The main entrance to the Mosque would be within the frontage of nos. 187-189. The double entrance doors shown would have strip windows on either side and signage above. The whole would be framed by a peaked arch making reference to traditional Islamic design.

The previous appealed application proposed three self-contained flats and 539sq m of floorspace associated with the Mosque use. Following the exclusion of no. 199 Waterloo Road and the proposed demolition of the building to the rear (no. 191 Waterloo Road), the scheme now proposes 2 self-contained flats and 327sqm of floorspace associated with the Mosque use.

The application is accompanied by a Planning Statement and a bat survey.

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

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- the acceptability of a place of worship and education centre in this location;
- the impact of the proposal on residential amenity;
- the impact of the proposal on parking and highway safety;
- the acceptability of the external alterations proposed.

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

## **CONSULTATIONS**

**Waste Management:** domestic and commercial waste would have to be segregated and adequate storage and disposal provision would have to be in place. The applicant should contact the Council's Waste Management team in the first instance to discuss requirements.

**Head of Housing and Environmental Protection Service:** no comments have been received in time for inclusion in this report. Any comments that are received prior to the Committee meeting will be reported through the update note.

**Police Architectural Liaison Officer:** in the period June 2013 to June 2014 there have been reported crimes including burglary and criminal damage in the vicinity. The front and rear external doors and the flat entrance doors should be of enhanced security standard certified to PAS 24 2012. They should incorporate a multi-point shoot bolt locking system. Replacement windows should meet standard PAS 24 2012 and ground floor glazing should be laminated. The building should be fitted with an intruder alarm system and CCTV should be installed to provide coverage of the perimeter of the building, in particular doors and windows and the lobby. Access control arrangements such as a keypad should be fitted to the flat entrance points. The parking bays to the rear of the building should be illuminated with lighting columns to British Standard 5489 and PIR dusk until dawn security lighting to discourage criminal activity. The refurbishment should proceed in accordance with Secured By Design Guidance.

**Head of Transportation:** Objection. The revised application proposes a gross internal floor area of 327sq m and the retention of two self-contained flat units. Six off-street parking spaces are shown to the front of the premises of which only five are considered to be usable due to the presence of a speed camera housing unit adjacent to the carriageway. A further 17 off-street parking spaces are proposed at the rear but these are considered to be unusable. Access would be from Gladstone Street via a narrow back alley. Gladstone Street is 5.4m wide and the alleyway access is 3.3m wide with a 90 degree bend leading onto the 3.7m wide rear alley. The alley is gated. Should traffic emerge from any other part of the alley, a reversing manoeuvre would be required leading to blockage. Emergency access could be compromised. Gladstone Street is well-parked and tight for turning space. Whilst the aisle width within the car park is considered to be sufficient to serve spaces 03-07 and 10-11, the use of the alleyway as manoeuvring space for spaces 12-14 would be considered inappropriate. Spaces 01-02 and 08-09 should be rotated by 90 degrees. Space 07 would still remain difficult to access. All the car parking spaces shown in the rear car park are below the minimum space standard of 2.4m x 4.8m. As the spaces to the rear are not deemed to be adequately accessible, and given the position of the speed camera housing on Waterloo

Road, the site is considered to provide only five off-street parking spaces which are functional and fit for purpose. As the Mosque proposed would have a gross floorspace of less than 500sq m, there is no accepted reduction of the maximum parking standards related to the level of accessibility. The maximum parking requirement would be 33 for the Mosque and education centre and three for the residential accommodation. Given the limited level of usable parking provision available, it is felt that the development would lead to increased demand for on-street parking in an area where there is limited supply. It is considered that this would have a detrimental impact on highway and pedestrian safety.

## **PUBLICITY AND REPRESENTATIONS**

Site notices displayed: 9th June 2014

Neighbours notified: 5th June 2014

Representations have been received in relation to this application from the following addresses:

Aintree Road; nos. 5 and 53  
Arnside Avenue; no. 21  
Central Drive; no. 336  
Chislehurst Avenue; nos. 3A and 54  
Falmouth Road; nos. 7 and 35  
Fernhurst Avenue; no. 27  
Gladstone Street; nos. 9, 18, 22 and 23  
Hampton Road; no. 11  
Harcourt Road; no. 20  
Hemingway; no. 53  
Hurstmere Avenue; no. 30  
Lowfield Road; no. 27  
Marsden Road; no. 11  
Molyneux Drive; no. 112  
Newbury Avenue; no. 6  
Severn Road; no. 22  
Shetland Road; no. 58  
St. Annes Road; nos. 8 and 33  
St. Heliers Road; no. 110  
Stadium Avenue; no. 54  
Stamford Avenue; no. 35  
Waterloo Road; nos. 185, 209, 215 and 241  
Watson Road; no. 240  
Westbank Avenue; no. 17  
Weston Place; no. 2  
York Street; no. 24

These representations raise the following issues:

- no need for use as a Mosque
- no need for education centre
- inappropriate use in area
- impact on character of area

- impact on vitality of local businesses
- poor impression for visitors to the resort
- potential for use to lead to racially-motivated aggression
- inadequate access from Gladstone Street and over pavement to front
- traffic generation
- highway safety
- illegal vehicle crossing of the Waterloo Road footpath
- parking pressure
- increased congestion
- impact on public transport timetables from increased congestion
- air pollution from increased traffic generation
- inadequate access to rear car park
- noise and disturbance from vehicle access to car park
- noise and disturbance from use and from calls to prayer
- noise and disturbance from people congregating on Waterloo Road
- loss of privacy
- incongruent design
- existing condition of building
- damage caused through demolition of building to rear
- loss of security through alley gates being left open to enable access to car park
- disturbance of refuse left in alleyway for collection leading to litter
- use is illegal
- positive discrimination by the Council on racial grounds
- should not be allowed to resubmit
- inadequate notification
- disingenuous application (i.e. amended from previous submission purely to correspond to parking standards)

Proforma responses have been received from the following addresses:

Cavendish Road, Bispham; no. 220  
 Chesterfield Road, Blackpool; no. 59  
 Exchange Street, Blackpool; no. 58  
 General Street, Blackpool; no. 50  
 Green Drive, Thornton Cleveleys; no. 9  
 Greetby Hill, Ormskirk; no. 18 Orme House  
 Ridgeway, Thornton Cleveleys; no. 133  
 St. Annes Road, Blackpool; no. 229  
 Whitley Avenue, Cleveleys; no. 7

These responses do not raise any additional issues.

Two representations have been received which could not be published on the Council's website because of what is considered to be racist content. A further anonymous objection has been received as has one from Lytham Road that does not specify the address. None of these representations raise additional planning issues to those listed above.

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

As the proposal has changed from the previous submission, the Council is legally obliged to consider the application.

Any damage arising to private property as a result of any development on site would be a private legal matter for resolution between the land-owners.

The application has been publicised in line with the statutory requirements. Site notices have been displayed and all addresses notified for application ref. 11/0593, all those from which representations were received and all residents of Gladstone Street have been renotified for this application.

A significant proportion of the objections received have made specific reference to the fact that the proposal is for a Mosque. The Committee is respectfully reminded that the planning system is concerned with land uses and not the specific characteristics of owners or occupiers. This application must therefore be determined on the basis of the acceptability of the use of the site as a place of worship and associated community/education centre without regard to the religion to be practised.

### **NATIONAL PLANNING POLICY AND GUIDANCE**

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. There is a presumption in favour of sustainable development where there are no over-riding material considerations. The Framework makes it clear that the planning system should empower local people to shape their surroundings that developments should seek to secure a high standard of design and amenity. The importance of healthy and inclusive communities is recognised.

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

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

- BH3 - Residential and Visitor Amenity
- BH11 - Shopping and Supporting Uses - Overall Approach
- BH14 - Local Centres
- BH19 - Neighbourhood Community Facilities
- LQ1 - Lifting the Quality of Design
- LQ14 - Extensions and Alterations
- AS1 - General Principles (Access and Parking)

### **EMERGING PLANNING POLICY**

#### **Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission**

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 subsequently 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.

Emerging policies in the Core Strategy Proposed Submission that are relevant to this application are:

CS4 - Retail and Other Town Centre Uses

This policy does not conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

## **ASSESSMENT**

### Principle

The application is seeking planning permission for the use of the site as a place of worship and community centre with two existing self-contained flats retained at upper floor level. Saved Policies BH11 and BH19 of the Local Plan, and draft Policy CS4 of the Core Strategy seek to direct community uses to the established retail centres and, in particular, to centres of a size and function appropriate to the use proposed. The application site is situated within a large Local Centre which covers the junction of the Central Drive/St. Annes Road and Waterloo Road, both of which are main arterial routes. The Local Centre accommodates a wide range of retail and service uses over and above day-to-day convenience shopping needs. There is also an ambulance station, fire station, primary school and youth centre in the immediate vicinity. The application proposes a place of worship and community/education centre related to the religious use of the site. Previously the applicant had proposed an ambitious scheme seeking to offer numerous and varied community classes, workshops and activities. It is understood that the scope of the proposal has been considerably reduced and that the education and community activities proposed to take place from the site, rather than being more general, would be directly related to the religious use of the premises. The supporting statement submitted with the application states that the education classes would be offered between 5pm and 7pm with community uses taking place in the morning so as not to conflict with prayer times. It is noted that the space available for education and community activities is much reduced from the previous application and would now amount to some 38sq m on the ground floor of nos. 195-197. Peak levels of usage of the Mosque are likely to be around the Friday lunchtime prayer and certain religious festivals where up to 60 visitors would be expected.

A number of the representations received object to the proposal on the basis of lack of need due to the existence of a Mosque on land between Central Drive and Grasmere Road. The Committee is advised that there is no planning policy requirement for need to be demonstrated in support of a new community use. As the nature and scale of the use is in-keeping with the character and scale of the Local Centre, and as the premises were previously vacant and under-used, the proposal satisfies Policies BH11, BH14 and BH19 and no sequential appraisal is necessary.

Given the size of the site, the activities proposed and the level of use anticipated, it is considered that the use of the site as a place of worship and community centre is appropriate in the context of the size, character and function of the Local Centre and is therefore acceptable in principle.

### Impact on Amenity

There are residential properties to the rear of the site fronting Gladstone Street, on the opposite side of Waterloo Road and at upper floor level above commercial uses within the



Local Centre. The main buildings are separated by some 25m from the rear elevations of the houses fronting Gladstone Street. The rear gardens of these properties and the rear alleyway provide a buffer of some 8m between the houses and the site.

The application form states that the hours of operation of the Mosque would be 6am to 11pm. It is understood, however, that outside of special periods of religious observance, the early morning and later evening prayer times would be likely to be attended by the applicant's family only. As two existing self-contained flats would be retained on site for occupation in conjunction with the Mosque use, this would be unlikely to generate vehicle movements. It would be open to the Council to apply a restrictive condition to any permission granted to limit public use of the site to a lesser number of hours during the day and early evening for the majority of the year. However, during periods of special religious observance, such as Ramadan which lasts for approximately one month, public prayers would take place at specific times of the day and night as dictated by the Islamic lunar calendar, and may fall during the night or in the very early morning. In the supporting statement submitted with the application it is stated that Friday prayers and specific religious occasions are grouped together and it is suggested that up to 60 visitors could attend. Although a congregation of 60 may gather for Friday prayers and for other special prayers during the working day, it is likely that a significant number of the prayers outside of normal working hours could be taken at home or at a different Mosque closer to home for those Muslims who work but do not live in Blackpool. As such, this size of congregation would be highly unlikely to attend all prayer times.

The Local Centre within which the application properties sit covers the junction of two main arterial routes and accommodates a range of late-night uses. As such, given that the Islamic periods of specific religious observance are lunar dependent and that the Mosque would be unlikely to be otherwise used by the public during early morning or late evening, it is not considered that residential amenity would be unacceptably affected by noise and disturbance generated by the operation of the Mosque. The Committee is respectfully reminded that the application does not include any proposals for the installation of equipment for the amplification of speech (i.e. call to prayer). It must also be noted that the Mosque operated prior to prosecution without any complaints being made to the Council's Environmental Protection Service regarding noise nuisance.

This application differs from the previous submission in proposing the demolition of no. 191 Waterloo Road to provide a car parking area to the rear of the site. This car park would be separated by some 8m from the rear elevations of the properties fronting Gladstone Street and would be accessed by a relatively narrow alleyway. Whilst the operation of the Mosque itself is considered to be unlikely to have an adverse impact on residential amenity through noise and disturbance, it is considered that vehicle access to the car park and the sounds of car doors opening and closing late at night and in the early hours of the morning could cause a noise nuisance. The acceptability of the proposed car park is discussed further in the next section of this report.

The flats proposed to be retained would be occupied in conjunction with the operation of the Mosque. As such, residents would be likely to be involved in activities taking place and the consequent impact on the residential amenity of these occupants would be minimal. This occupancy could be controlled by condition.

### Parking and Impact on Highway Safety

The application proposes six parking spaces to the front of the site on the forecourt that would be accessed from Waterloo Road, and a further seventeen spaces to the rear of the site following the demolition of no. 191 Waterloo Road. These would be accessed from Gladstone Street via a back alleyway. It is proposed that the seventeen spaces to the rear be arranged as a row of seven spaces along the eastern boundary and four spaces including an accessibility space along the western boundary. An aisle of more than 7m in width would be provided between these two rows for manoeuvring. Within this space, however, it is proposed that a further six spaces could be created for use during Friday prayers and periods of special religious observance. It is suggested that these spaces would be used under the supervision of a parking marshal.

The Head of Transportation has considered the parking proposed and does not believe that six spaces can be provided to the front because access is partially blocked by the existing speed camera housing adjacent to the carriageway. However, it is accepted that five usable spaces would be available to the front of the site. With regard to the parking provision at the rear of the site, in response to the Head of Transportation's comments, some spaces have been rotated and all now meet the Council's minimum size standards. It is accepted that a satisfactory car park layout could be proposed that would accommodate seventeen vehicles. This would make use of the central manoeuvring space during busy periods and would mean that some cars would be blocked in. The parking spaces proposed in the middle of the car park could only be adequately accessed if the existing alleyway forms part of the manoeuvring space and this is not ideal. Regardless of the adequacy or otherwise of the layout, however, the Head of Transportation has judged that the car park would not be adequately accessible from Gladstone Street. This street is a secondary road which is well parked meaning that turning space is tight. The access to the alleyway from Gladstone Street is only 3.3m wide and the alleyway itself, accessed via a 90 degree bend, is 3.7m wide. This is considered to be inadequate to provide safe and convenient access to the car park. Cars would not be able to pass and any manoeuvres within the alleyway would block access. As such, the Head of Transportation has concluded that only five usable car parking spaces could be provided on the site.

The application seeks planning permission for 327sq m of floorspace for use as a Mosque (including the associated education/community centre) and the retention of two self-contained flats. This would give a maximum parking requirement of 33 spaces for the Mosque and up to three spaces for the flats, a total of 36 spaces. The number of accessible spaces proposed (the five at the front of the site) would equate to just 14 per cent of this maximum requirement. Even if it were accepted that three parking spaces at the rear of the site could reasonably be used by the residents of the flats who would be more accustomed to the nature of the rear alleyway, the overall level of usable parking would equate to only 22 per cent of the maximum requirement.

It is acknowledged that the site falls within a defined Local Centre which is served by three bus routes, lines 5, 10 and 16, with 10 minute, hourly and half-hourly frequencies respectively. As the floorspace of the Mosque falls below 500sq m, no reduction on the baseline standard is applicable. However, even if an allowance were made for the accessibility of the site (which could reduce the maximum requirement to 22 spaces if the highest discount were applied) the level of usable provision proposed would still fall significantly short of this number.

Whilst it is also acknowledged that there is a large public car park at Central Corridor within walking distance (less than 400m), it is felt that regular users of the Mosque and education/community centre would be unlikely to use nearby pay-and-display facilities preferring instead to look for parking spaces in the immediate vicinity. It is noted that parking restrictions are in place on nearby residential streets and limitations on Waterloo Road. Existing on-street parking spaces would have to be lost from the front of the site to enable safe access to the forecourt. As such, the Head of Transportation is concerned that the lack of off-street parking would lead to inconsiderate and potentially unsafe parking or waiting on the highway for drop-off and collection to the detriment of highway and pedestrian safety.

The application does not include a Travel Plan to promote use of sustainable travel modes or otherwise reduce parking demand but this could be dealt with by condition.

#### Appearance

At present, as stated above, the application site is in visually poor condition despite attempts to improve its appearance and the frontage lacks the coherence normally associated with a single use. The application proposes the removal of the garage at the rear of nos. 187-189 and of no. 191 Waterloo Road to create a parking area. Should permission be granted, a condition would be imposed requiring this area to be hard-surfaced and properly marked out, thereby significantly improving the appearance of the site from the alleyway.

At the front of the site, the application proposes the removal of the existing shop fronts and the reinstatement of traditional style bays and fenestration. This in itself would substantially improve the appearance of the buildings. A central doorway would be provided within the ground floor bay of nos. 195-197 to give access to the education/community centre. The main entrance to the Mosque would be within the frontage of nos. 187-189. The double entrance doors proposed would have strip windows on either side and signage above with the whole framed by an Islamic-style peaked arch. Overall it is considered that the works proposed would give the site greater coherence and have a positive impact on the quality of the streetscene.

#### Other

The Committee is advised that no bodies brought to the Mosque for funeral preparations would be stored overnight. It is understood that the ceremonial procedure of preparing a body for burial is undertaken by the family of the deceased and that burial typically takes place on the same day.

A bat survey was undertaken by Arbtech Consulting Limited in May 2014. The subsequent report judged that the proposed demolition of no. 191 Waterloo Road would present a low probability of harm to bats.

The use of the application site as a place of worship and community centre is not subject to a requirement for a financial contribution towards the provision of public art or public open space.

It is not anticipated that the use of the site as a place of worship and a community centre would place a greater demand on existing drainage systems than the use of the site as shops and hot-food take-aways. United Utilities have previously raised no objections to the application. As such, no drainage issues are identified.

Refuse would be stored in the rear yard area and a condition requiring the submission of details of a formal store could be imposed should the Committee be minded to support the application.

Concerns have been raised regarding the potential impact of the proposal on the vitality and viability of the Local Centre and on the regeneration and the tourism economy of Blackpool. The application site is some considerable distance from the Promenade, Resort Core and Town Centre. The site is situated within a large Local Centre which is intended to serve local community needs. As discussed above, the use is considered appropriate in the location. Consequently, no wider detrimental impacts are anticipated.

### **CONCLUSION**

Whilst the use of the premises as a place of worship is considered to be acceptable in principle, the amount of usable off-street parking that could be created to serve the use is considered to be inadequate. Although seventeen parking spaces have been shown to the rear of the buildings, it is not considered that these spaces could be accessed safely because of the width of the alleyway to the rear of Gladstone Street and the tight corner that must be negotiated. The Head of Transportation considers that only five usable spaces could be provided and is concerned that the lack of off-street parking would lead to increased parking pressure and inconsiderate parking to the detriment of highway safety. As such, the application is considered to be contrary to Policy AS1 of the Blackpool Local Plan.

On this basis, the Committee is respectfully recommended to refuse planning permission for the use proposed.

### **LEGAL AGREEMENT/DEVELOPER CONTRIBUTIONS**

N/A

### **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. This application is not considered to raise 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 uses proposed would generate a demand for car parking which could not be met by provision within the application site and, as such, this would lead to additional on street car parking in the area which would be detrimental to highway and pedestrian safety. Notwithstanding the accessibility of the parking proposed to the rear, use of this provision early in the morning or late at night would have the potential to cause noise nuisance to nearby residential neighbours. As such the proposal would be contrary to Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016.

2. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

Wherever possible, the Local Planning Authority seeks to work proactively with applicants to secure sustainable development that would improve the economic, social and environmental conditions of Blackpool. However, it is considered that the current proposal would be sufficiently detrimental to highway safety and residential amenity as to conflict with paragraph 14 of the National Planning Policy Framework and Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016 and thereby justify refusal. It is considered that these issues cannot be overcome through negotiation.

## Advice Notes to Developer

Not applicable