

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

Application Reference: 14/0514

WARD: Bloomfield
DATE REGISTERED: 10/07/14
LOCAL PLAN ALLOCATION: Resort Core
Central Promenade and Seafront
Resort Neighbourhood
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: THE ROYAL CARLTON

PROPOSAL: Retention of partially covered timber decking area to front elevation with glazed windbreaks and disabled access ramp and retention of first floor level balcony to front.

LOCATION: 343-347 PROMENADE, BLACKPOOL, FY1 6BJ

Summary of Recommendation: Refuse in principle but to delegate the issuing of the decision to the Head of Development Management.

CASE OFFICER

Miss. S. Parker

BACKGROUND

In March of this year the applicant submitted a similar planning application for the erection of a partially covered timber decking area to front of the hotel with a covered entrance walkway, glazed windbreaks, and a disabled access ramp. The formation of a first floor level balcony to the front elevation was also proposed. The decking proposed extended out to the back of the Promenade pavement. The Committee considered the application at its meeting on 7th May 2014 and refused permission on the following grounds:

- the plans lacked detail and were unclear, confusing and inconsistent. The applicant had not explained how the decking would be used and so it was not possible to accurately and robustly assess the likely impacts of the proposal;
- the works proposed when taken as a whole would have presented an overly large and dominant feature within the streetscene that would have appeared incongruous and detracted from the quality, character and function of the immediate area;
- the provision of the decked area would have resulted in the loss of all off-street parking available on the site and the extension of the decking up to the back of pavement would have lead to visitors and luggage blocking the pavement. No coach parking was to be provided. Detriment to highway safety was anticipated through increased parking pressure, the potential for inconsiderate parking, and the potential for pedestrians to have to step out into the carriageway to avoid visitors and their luggage on the pavement.

Following the refusal of the application, officers from the Development Management team met with the applicant and his agent on site to discuss potential solutions. It was suggested that the decking be pulled back to retain some off-street parking at the front of the site and create an area where visitors disembarking from coaches could wait with their luggage without blocking the pavement. It was also suggested that the entrance walkway be rationalised to reduce the bulk of the development. The strong emphasis was on limiting the extent of the decking. Two options were then submitted for comment, one showing a set back of some 4.5m and the other showing a set back of just 2.5m. It was confirmed that the option leaving the most open space at the front of the site was preferred. An earlier letter from the Head of Development Management had advised that some off-street car parking provision should be retained.

Notwithstanding this meeting and what appeared to be an agreement between the applicant and officers, and prior to the submission of the current application, works on site have been ongoing and the decking installed extends to the back of pavement.

SITE DESCRIPTION

The application property is a three-storey hotel with an additional floor of accommodation contained within a mansard roof. It sits on the southern side of the junction of Crystal Road with the Promenade. The building has a four-storey lift shaft adjacent to Crystal Road which is topped by a pyramid-style roof. At the front of the property is a large forecourt that was previously marked out as 23 triple-banked parking spaces but which has since been covered with terraced timber decking. The building has an art-deco appearance with a plain render finish and a curved frontage. The property has been recently refurbished internally and has now reopened as a hotel.

DETAILS OF PROPOSAL

The application seeks retrospective planning permission for the erection of a partially covered timber decking area to the front elevation. The decking would be split into three sections of different levels extending up to the back of pavement with glazed windbreaks along the front of the top two levels and along the sides. A disabled access ramp is proposed along the southern edge of the decking approximately 1.5m from the boundary with no. 349 Promenade. The application also seeks retrospective permission for the formation of a balcony at first floor level above the existing front sun-lounge. The scheme no longer includes the provision of a covered walkway or a glazed windbreak along the back of the pavement as previously proposed.

The applicant's agent has submitted an email explaining that the refurbishment undertaken has cost some £400,000 and emphasising the number of visitors and associated spend brought to Blackpool through his client's company, Blackpool Promotions. The email states that the decked area is to be used for sales, rest and relaxation. It is assumed that the sales would relate to food and drink but this is not clear. The canopy is to offer protection from the weather and provide a covered smoking area.

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 the creation of a terraced area to the front of the hotel;
- The impact of the works on the appearance of the site and this section of the Promenade;
- The impact of the works on the amenity of visitors at neighbouring hotels;
- The acceptability of the loss of the existing off-street car parking.

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

CONSULTATIONS

Head of Transportation: no response has been received in time for inclusion in this report. Any comments that are received will be reported through the update note.

Head of Housing and Environmental Protection Service: no response has been received in time for inclusion in this report. Any comments that are received will be reported through the update note.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 22nd July 2014

Neighbours notified: 22nd July 2014

No representations 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.

NATIONAL PLANNING POLICY FRAMEWORK

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. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. The Framework makes it clear that all developments should be of a high standard of design and paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. This emphasis on the need for good design is repeated in the National Planning Practice Guidance (NPPG) which was introduced in March 2014.

SAVED POLICIES: BLACK POOL 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:

- RR2 Visitor Accommodation
- RR7 Promenade Frontages within the Resort Core
- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- BH11 Shopping and Supporting Uses - Overall Approach
- BH12 Retail Development and Supporting Town Centre Uses
- 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:

- CS7 Quality of Design

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

ASSESSMENT

Principle

The principle of improving visitor accommodation is supported by Policy RR2 of the Blackpool Local Plan. However, this policy primarily seeks to ensure that hotel bedrooms or holiday flats are of a good size and layout and that they are supported by appropriate facilities of a high standard. Policy RR7 of the Plan relates more generally to new developments on the Promenade. This policy is supportive of schemes that would provide an active frontage to the Promenade, reinforce existing concentrations of uses, and enhance the amenity, character and appearance of the area. As such, works to improve the appearance, character and function of the building as a hotel would be considered to be acceptable in principle.

The current application seeks to planning permission for the retention of three levels of decking over the existing forecourt of the hotel, the top section of which is proposed to be covered with a canopy. The proposal also includes the retention of a balcony above the existing front sun-lounge which is split into four sections for private use by the occupants of four of the front bedrooms at first floor level. Whilst this latter aspect of the scheme would directly improve the quality of visitor accommodation, the works to create the decking and covered terrace area would be less clearly linked to an improvement in the standard of visitor accommodation, particularly given its size and extent of coverage. The impact of the

scheme on the amenity, character and appearance of the area will be discussed in the sections below. The decking would be accessible from the hotel lounge and dining room and is proposed for sales, rest and relaxation. It is understood that the decking would be used as an extension of the hotel restaurant and bar and it is noted that the space is set out with tables and chairs. It is unclear from the information submitted whether or not the decked area would primarily be used by occupants of the hotel or to accommodate passing trade from the Promenade. However, at the time of the officer site visit the decking was set out with tables and chairs on all three levels and signage was displayed stating that the facility was available for use by non-hotel guests up until 11pm. Whilst this would undoubtedly create an active frontage, predominant use by non-guests would suggest a material change of use requiring planning permission which would be contrary to Policies BH11 and BH12 of the Blackpool Local Plan which seek to direct independent cafe and restaurant uses to the Town Centre, District Centres and Local Centres, and contrary to Policy RR7 of the Plan which seeks to safeguard Promenade character. It is contended that, by virtue of its size, the decking is above and beyond that which could be considered to be an ancillary facility to the hotel.

Appearance

The application seeks to retain three levels of decking across the existing forecourt to the hotel with access points in the form of steps at either side. A ramp would run along the southern edge of the decking some 1.5m from the boundary with no. 349 Promenade. The space between would be left as existing. The covered walkway previously proposed between the hotel and the Promenade pavement has been omitted from this proposal. Glazed windbreaks would be provided along the frontage of the top two sections of deck and along the sides of the decking. The windbreaks would be some 1.1m in height above the deck. It is not clear what kind of divide would be provided between the proposed ramp and the area of tarmac adjacent to the boundary of the site. The top level of decking closest to the hotel would be covered by a glazed canopy some 2.6m above the level of the deck and 3.4m above existing surface level. The first level of deck at the back of the Promenade pavement would be some 0.15m above the level of the highway. A windbreak across the frontage was formerly proposed at this point but this has now been omitted from the scheme. The first windbreak would be positioned on the edge of the middle section of decking and would sit within 3m of the back of pavement at a total height of 1.6m. Double doors would be installed in place of the double window in the front elevation closest to the southern boundary in order to provide an access between the hotel and the decked area.

Although timber frames have been installed on site, the details provided with the application show that the windbreaks would consist of glazed panels with curved top corners held between stainless steel posts. The design of the windbreaks, viewed in isolation, is considered to be acceptable. Similarly the formation of the first floor balcony and the replacement of a double window with a double door within the front elevation at ground floor level are considered to be acceptable.

The plans remain of poor quality and are difficult to decipher with confidence. Given the scale and level of detail on the drawings it is very difficult to get an accurate idea of what the scheme would look like from the plans. No elevation or section drawings of the northern and southern boundaries of the site have been provided. However, the decking has been installed on site albeit without a canopy or the glazed windbreaks and can therefore be viewed in situ. None of the surrounding hotels have forecourt features of this kind or size and the Committee is respectfully advised that the timber structures to the front of no. 351 Promenade are currently subject to a planning enforcement investigation (ref. 13/8370).

The Resort Core has long been acknowledged as Blackpool's "shop-front" and it is imperative that any development along this stretch of the Promenade makes a positive contribution towards the appearance, character and function of the area. By virtue of its height and extent across the width and depth of the forecourt, it is considered that the decking is an overly dominant, overly large and incongruous feature which is visually detrimental to the quality of the streetscene. The applicant has been advised that some redevelopment of the forecourt setting the decking well back from the back of pavement and retaining some off-street car parking would be likely to be acceptable, but it is considered that the current scheme is overly-intensive.

Amenity

The balcony at first floor level would be split into four sections and made available for use by the occupants of four of the bedrooms at the front of the hotel. As such, the amount of noise that would be likely to be generated on these balconies is likely to be limited. As the Promenade is a busy road for both vehicular and pedestrian traffic, it is relatively active and background noise levels will be above average for much of the day and into the evening. On this basis, the balcony is not anticipated to have an unacceptable impact on the amenities of visitors at the neighbouring hotel by virtue of increased noise or disturbance.

As previously stated, the applicant has provided little information to explain how the terraces would operate, or if they would be used predominantly by visitors at the hotel or passing trade from the Promenade. As such, it is difficult to determine whether or not the creation of the terraces would have a detrimental impact on visitor amenity. However, at the time of the officer site visit the decking was set out with tables and chairs on all three levels and signage was displayed stating that the facility was available for use by non-hotel guests up until 11pm. Whilst it is recognised that background noise levels in the area immediately surrounding the application site will be higher than average, it is also noted that the properties fronting the Promenade to the north and south for some distance are all in use as hotels. The nearest cafe is the New Yorker one block to the south and this has a much smaller forecourt area than the application property. On this basis, given the size of the decking and the number of tables that can be supported, it is likely that a significant amount of additional noise would be generated which could cause nuisance to the occupants of neighbouring properties.

Parking

The installation of the decking has resulted in the loss of all off-street parking at the hotel. Previously 23 parking spaces were marked out on the forecourt. These spaces were triple banked and so were not particularly convenient for use, but it is likely that they were offered to visitors for the duration of their stay with access for arrival and departure managed by the hotel. The applicant has suggested that his business operates entirely on coach-borne custom with no requirement for visitor parking. However, the Council would not be able to control the operation of the business in this regard. The hotel is on the southern side of the junction of Crystal Road and the Promenade and there are double yellow lines across the frontage of the site to prevent parking. As such, the site is not ideally located for coach drop-off and pick up. The provision of raised decking up to the back of pavement and the use of this space in conjunction with the restaurant with chairs and tables set out would be likely to result in disembarked visitors and luggage blocking the pavement. The applicant has suggested that this space would be left clear on days when coach parties are expected but this could not be controlled by the Council. Consequently, the extent of the raised deck may

result in pedestrians stepping out into the carriageway to move past the site. Private cars or a coach pulled up at the roadside would impede visibility for motorists and may lead to dangerous manoeuvres on the highway. Although the Head of Transportation has not provided formal comments on this application at the time of writing this report, he was previously unwilling to support the scheme for the reasons set out above.

Other Issues

The applicant has previously asserted that his business brings in the region of 200,000 overnight stays to Blackpool each year and, on that basis, he is looking for Council support with this venture. A statement submitted with the previous application notes that the Royal Carlton previously lay vacant following fire damage and that significant investment has been required to bring the hotel back into viable use. However, no financial information has been provided to demonstrate that the property could not viably operate as a hotel without the amount of decking that has been provided for use in conjunction with the hotel bar and restaurant at the front of the site.

CONCLUSION

The application property is in a key location within Blackpool's Resort Core and on the Promenade. It has recently been refurbished and brought back into use as a hotel after being vacant for some time following fire damage and this is to be welcomed. The application seeks planning permission for a first floor balcony and three levels of decking over the existing hotel forecourt. The terrace nearest to the hotel would be covered. Glazed windbreaks would be provided across the top two levels of decking and along either side. The scheme would result in the loss of all 23 off-street car parking spaces currently available on the site. The plans submitted are of poor quality, lack detail and are difficult to decipher with confidence. It is considered that the decking that has been erected is overly-large, dominant and incongruous within the streetscene and is therefore detrimental to the appearance, character and function of this section of the Promenade. It is also felt that the complete loss of car parking and the development of the forecourt up to the back of the pavement will have a detrimental impact on highway safety. Finally, the size of the decking and the fact that it is advertised as being available for use by non-hotel guests prevents the feature from being considered to be entirely ancillary to the hotel use. As such, the proposal is considered to be contrary to Policies BH11, BH12, RR7, LQ1, LQ2, LQ14, BH3 and AS1 of the Blackpool Local Plan. Whilst all applications must be considered on their own merits, it is considered that an approval in this instance would make it harder for the Council to resist similar proposals elsewhere, leading to a more significant, cumulative detrimental impact on the appearance, character and function of the Resort Core and more particularly the Promenade.

RECOMMENDATION

The site notice publicising this application was posted on 22nd July 2014. As such, the earliest date a decision can be made on the application is 12th August 2014. On this basis, the Committee is respectfully recommended to refuse the application in principle but to delegate the issuing of the decision on that date (or soon after) to the Head of Development Management.

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 in principle but to delegate the issuing of the decision to the Head of Development Management.

Conditions and Reasons

1. The plans submitted lack necessary detail and are unclear as to the precise nature of the proposals. Insufficient information has been submitted with the application to explain how the decking that has been erected at the front of the hotel would be used. As such, and as the works are not yet complete, it is not possible to accurately and robustly assess the proposal as a whole and the likely impacts of the finished scheme upon the appearance of the site, the character and function of this section of the Promenade, and the amenity of visitors. Consequently the application is considered to be contrary to Policies RR7, LQ1, BH3 and BH11 of the Blackpool Local Plan 2001-2016.
2. Notwithstanding reason 1 above, it is considered that the external works undertaken to date to erect the three levels of decking with glazed windbreaks and the covered terrace area, when taken as a whole, present an overly large and dominant feature within the streetscene that appears incongruous and detracts from the quality, character and function of this section of the Promenade. As such, the proposal is considered to be contrary to Policies RR7, LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001-2016.
3. Notwithstanding reason 1 above, the decking erected has resulted in the loss of all off-street car parking which was available on the site. Insufficient information has been submitted to justify this loss of this parking provision. The loss of this provision combined with the position of the decking up to the back of the pavement is likely to lead to visitors disembarking from coaches and their luggage blocking the pavement for pedestrians which could then lead to pedestrians having to step out into the carriageway to the detriment of their safety. There is, however, no provision for coach drop-off/collection close to the site and on-street parking is restricted along both the Promenade and Crystal Road frontages of the site. The loss of the car parking provision on-site may lead to inconsiderate drop-off/collection parking to the detriment of highway safety, and any associated reliance on coach-borne custom could similarly have a detrimental impact on highway safety. As such, the application is considered to be contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

4. **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. In this instance, the Council thought it had negotiated a potentially acceptable solution with the applicant. However, the current application does not reflect these discussions and lacks sufficient detail and information to enable a robust assessment of the impacts of the finished scheme. Based on the plans that have been submitted and the works carried out on site it is considered that the development, when completed, would be sufficiently detrimental to the appearance of the streetscene and potentially the amenity of neighbours and the character and function of the area so as to conflict with paragraphs 14, 17 and 64 of the National Planning Policy Framework and Policies RR7, LQ1, LQ2, LQ14, BH3, BH11 and AS1 of the Blackpool Local Plan 2001-2016 sufficiently to justify refusal.

Advice Notes to Developer

Not applicable