

COMMITTEE DATE: [03/11/2014](#)

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: Grant Permission

CASE OFFICER

Gary Johnston

INTRODUCTION

This application was deferred at the last meeting of the Planning Committee for more information regarding the proposed windbreaks and balustrading for the walkway/stairs. A drawing showing the details has been received. In addition a sample of the support column to be used has been received and this will be made available for members to view on the day of the Committee meeting.

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 led 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. The scheme as built was considered by the Committee at its meeting on 6th October 2014. Members expressed a desire to see a sample of the handrails and windbreaks to be erected on site and so the application was deferred for reconsideration at a later date. These samples are now available to view on site and so the application is being brought back before Committee. The remainder of this report is unchanged from that put before Members in October.

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 timber decking area to the front elevation. The decking is 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, a canopy over the top terrace, 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.

The Committee will have visited the site on 3rd November 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: The current proposal does not deal with the loss of the car parking spaces to the front of the premises. I have set out my concerns on this for 14/0188. The concerns raised then are valid for this application. Also, I have met the owner of the site who has described to me how this hotel will operate in terms of visitors, pick-up/drop-off facilities in conjunction with other hotels that he operates in the Town but he has not submitted a comprehensive statement with the application justifying the loss of the car parking spaces at the front. During the meeting, I observed a mixture of passenger transport vehicles (coaches and minibuses) stopping outside the proposal site to drop-off and collect customers. There were periods when the footway was busy with people and luggage leaving no room for other pedestrians to get by - a concern highlighted previously. Having reviewed the latest submission, I wish to maintain my objection to this proposal.

I would also like to point out that the drawings submitted as part of 14/0188 and this submission show the structure to be on the area that was previously allocated for parking, off the public highway but in reality the decking and ramp has encroached onto the public highway, the encroachment is nominal but due to the upstand, it is possible that this could be a tripping hazard, leading to claims which is clearly a risk to the Council. I have sought legal advice and will be advising the owner to remove the structure, or part of it from the public highway. The alternative would be to formally stop-up the area as the boundary line for this property is set back in comparison with neighbouring properties. There is clear disagreement in terms of land ownership which I am trying to resolve.

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

An email of objection has been received from The Fame Hotel at no. 363 Promenade raising the following issues:

- visitors disembarking parked coaches with their luggage are blocking the pavement;
- the coaches will cause damage to the pavement;
- the decking is inappropriate and will set a precedent for similar development along the Promenade.

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

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 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 area are less clearly linked to an improvement in the standard of visitor accommodation. It is understood that the hotel offers 40 bedrooms and that the applicant's business model is based on coach borne custom on a package holiday format. The 40 bedrooms can accommodate up to 80 guests. The applicant has developed the outdoor seating in order to ensure that all guests could sit outside in good weather. There is an internal hotel dining room which can also accommodate 80 diners. Overall, therefore, the hotel offers twice the number of covers than guests it can accommodate meaning that the dining facilities are excessive relative to the size of the hotel. On this basis, the scheme 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. However, it is understood from the information submitted that in 2013 the applicant's company brought 70,000 visitors into Blackpool equating to 200,000 overnight stays. A brochure has been provided which demonstrates that the company uses not only hotels within the applicant's ownership but other, major hotels in the town. As such, whilst the dining facilities at the Royal Carlton would be made available for use by members of the public, it is nevertheless anticipated that the facilities would predominantly be used hotel guests. In accordance with Policy RR7, the decking would provide an active frontage.

In light of the above and on balance, the works undertaken to date are considered to be acceptable in principle.

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 and a ramp along the southern edge of the decking. This ramp sits some 1.5m from the boundary with no. 349 Promenade. The space between has been left as existing. The covered walkway previously proposed between the hotel and the Promenade pavement has been omitted from this proposal as has the canopy over the top deck. Glazed windbreaks would be provided along the frontage of the top two sections of deck and along the sides of the decking and ramp. The windbreaks would be some 1.1m in height above the deck. Additional glazing would be provided above the existing north boundary wall in order to comply with Building Regulation requirements. 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. Handrails would be provided alongside the steps and access ramp.

It is accepted that the decking and the windbreaks to the front of the site together present a large and dominating feature within the streetscene. There are no similar developments in the area which would set a precedent and it is possible that the works carried out at this address could lead to similar proposals elsewhere. Both individually and cumulatively, this would have a significant impact on the appearance and character of the Promenade. It is recognised that the Resort Core is Blackpool's "shop window" and that all development in this area must be of a high standard of design. When viewed in situ, it is clear that the decks are of solid construction and have been treated appropriately to withstand the climatic challenges of a seafront location. It is clear that substantial investment has been made into the refurbishment and upgrade of the hotel. The details relating to the windbreaks and handrails are considered to be acceptable as are 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. Overall, the works undertaken and proposed are considered to be acceptable in appearance.

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.

The use of the decking as an outdoor dining and seating area may increase the amount of activity and therefore noise and disturbance at the front of the hotel. However, it is recognised that background noise levels on this stretch of the Promenade are higher than average with greater vehicular and pedestrian activity later into the evening. On this basis, it is not considered that the proposal could reasonably be resisted on amenity grounds.

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 stated that his business operates entirely on coach-borne custom with no requirement for visitor parking. 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 Head of Transportation has been unwilling to support the proposal on highway safety grounds. However, the applicant has stated that no furniture would be set out on the bottom deck on customer arrival and departure days to enable visitors to move off the public pavement quickly and easily. It is also noted that other large hotels in Blackpool operate successfully without off-street parking. On this basis, it is not considered that the scheme could reasonably be refused on parking or highway safety grounds.

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. The investment into the hotel is welcomed. On balance and taking all material considerations into account, the works that have been carried out to create a first floor balcony and the three levels of decking with associated windbreaks are considered to be acceptable. It is not felt that the scheme has a detrimental impact on the character or function of this stretch of the Promenade. Whilst the loss of the forecourt for car parking weighs against the scheme, it is not considered sufficient to justify refusal. As such, the Committee is respectfully recommended to grant planning permission for the proposal subject to the conditions listed below.

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: Grant Permission

Conditions and Reasons

1. Notwithstanding the information provided on the approved plans, details of the windbreaks and handrails to be installed on the decking shall be submitted to and agreed in writing by the Council as Local Planning Authority prior to their installation. These agreed windbreaks and handrails shall then be provided within three months of the date of this permission.

Reason: In the interests of the appearance of the site and locality in accordance with Policies RR7 and LQ1 of the Blackpool Local Plan 2001-2016.

2. Notwithstanding the provision of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no means of enclosure shall be erected along the Promenade frontage of the site.

Reason: In order to ensure that visitors to the hotel disembarking from a parked coach can clear the public highway quickly and easily in the interests of highway safety and pedestrian safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.