

COMMITTEE DATE: [14/01/2015](#)

Application Reference: 14/0718

WARD: Talbot
DATE REGISTERED: 20/11/14
LOCAL PLAN ALLOCATION: Resort Neighbourhood
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: The Lawton Hotel

PROPOSAL: Retention of existing car park, including erection of height restricting entrance barrier and installation of five lighting and CCTV columns.

LOCATION: REAR OF 107-115 HORNBY ROAD, BLACKPOOL, FY1 4QP

Summary of Recommendation: Grant Permission

CASE OFFICER

P Greenway

INTRODUCTION

This application has arisen as a result of enforcement investigations into the demolition of a two storey car park and an industrial warehouse at the back of Hornby Road and the use of the cleared land as a surface level car park. The car park is behind a 45 space car park which fronts onto Hornby Road.

SITE DESCRIPTION

This is a backland site, between Hornby Road and Reads Avenue. There are a number of guest houses and holiday flats on both roads, although the adjacent property on Hornby Road to the north is a rest home. The property to the south on Hornby Road (105) has planning permission as a single private dwellinghouse (10/0830 refers) and there is a pending application to convert the property to two flats (14/0898 refers). There are a number of small factory units that take their access from the rear alley between Hornby Road and Reads Avenue (named as Back Reads Road), as well as a commercial car park. The site is sandwiched between the Hornby Road and Reads Avenue parts of the South Town Centre Main Holiday Accommodation Area.

DETAILS OF PROPOSAL

This is a retrospective application for the retention of an existing car park, and includes the erection of a height restricting entrance barrier and the installation of five lighting and CCTV columns. The car park is owned and utilised by the owner of a number of hotels in the vicinity, primarily for his guests, with some public parking available. There are 22 parking spaces and three spaces for motorbikes. Vehicular access is via an access shared with Barrett's Warehouse adjacent to 105 Hornby Road; and egress is into Back Reads Road, an alley between Hornby Road and Reads Avenue. The direction of flow would be controlled by a flow plate on the ingress, the size of vehicle would be controlled by a height barrier and an attendant's building is located in the south east corner of the site. The existing high timber fence along the rear site boundary would be reduced to two metres in height and CCTV would provide security. There would be pedestrian access from Hornby Road, along the northeast boundary with the adjacent rest home.

The Committee will have visited the site on 14 January 2015.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The principle of the use
- Highway Safety
- The impact on residential amenity through noise and disturbance; and fear of crime

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

CONSULTATIONS

Head of Transportation:

The key issue here is that of access and egress. If a one way circulation flow is adopted, with access from Hornby Road and exit at the rear (this could be reversed) this is acceptable -it should be signed and lined. A proper accessible area, clearly marked should be provided for motorcycles. Signage is shown at the rear of the footway on Hornby Road, the height and width interferes with visibility for the neighbouring car park. If this sign is in-situ, it should be replaced with one smaller in size.

Head of Environmental Services:

I have no concerns with the above application, in fact I think there is a positive benefit as far as Environmental Protection are concerned as we received numerous complaints about the state of the dilapidated building which was there previously as it attracted arsonists and was allegedly filled with drug paraphernalia. As there are already two car parks in this area it would seem to make sense to use this land to extend what is already in place.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 24 November 2014

Neighbours notified: 21 November 2014

Objections received from 99/101, Warehouse at the rear 103-105, 105, 114 Hornby Road; 89 Reads Avenue. In summary, the objections relate to:

- The security of the site
- The unrestricted hours of use, which would cause noise and disturbance.

These issues will be discussed in the body of the 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 (paras 56 - 65). In particular, para 58 states that planning decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Under the heading of Promoting Healthy Communities, para 69 reiterates the importance of achieving places which promote safe and accessible environments.

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:

RR2 Visitor Accommodation
RR8 Resort Neighbourhoods
LQ1 Lifting the Quality of Design
BH3 Resident and Visitor Amenity
AS1 General Development Requirements
AS5b Secondary Distributor Route

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 16 June 2014 and by the full Council on 25 June 2014. The document was published for public consultation on 4 July 2014 for a period of eight weeks. The consultation has now ended and the document has been updated and was submitted to the Planning Inspectorate on 19 December 2014 for examination in Spring 2015. Paragraph 216 of the National Planning Policy Framework allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy Submission version most relevant to this application are:

CS7 Quality of Design
CS10 Sustainable Design and Renewable and Low Carbon Energy
CS21 Leisure and Business Tourism

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

ASSESSMENT

Principle

Half of this site was a two storey car park, the other half was a light industrial use and there is another public car park in the immediate vicinity, which has its access and egress onto Back Reads Road. The car park which fronts onto Hornby Road has a temporary permission (expires in 2016), in order to protect the future use of the frontage as holiday accommodation as it is within the South Town Centre Main Holiday Accommodation Area. Given these circumstances and the fact that the site is sandwiched between the Hornby Road and Reads Avenue parts of the South Town Centre Main Holiday Accommodation Area, it is considered that the principle of the use of this backland site as a permanent car park is acceptable.

Highway Safety

The Head of Transportation has no objection to the proposal as long as a one-way flow is maintained within the site. This can be done by the use of flow plates at both the access and egress and I have requested amendments to the scheme to include flow plates to Back Reads Road. I shall report further on this matter on the update note.

Amenity

In terms of noise and disturbance, the main impact would be at night time when residents immediately adjacent to the Hornby Road access and adjacent to the egress onto Reads Avenue, are entitled to a quieter environment. For this reason I have requested that the car park remain closed between the hours of 11pm and 8am; the previous two storey car park on part of this site was restricted by condition so that it could not operate between those hours. In order to prevent vehicles driving through the car park during those times, I have also requested that gates are reinstated to the access and egress points and will report further on the update note. Although the applicant has stated that he intends to erect lighting columns and CCTV; the use of gates would also help to overcome the main concern of residents and the Police regarding the fear of crime and site security. No detail has been provided regarding the light spill outside the car park from the luminaires; however this can be agreed by condition before they are erected.

CONCLUSION

Subject to the receipt of suitably amended plans and an agreement to night time closing, I feel that the scheme is acceptable and a recommendation for approval is appropriate.

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. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The car park shall not operate between the hours of 11 pm on one day and 8 am on the following day and the access/egress gates, including the pedestrian gate, shall be locked shut during these hours.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and holiday accommodation, in accordance with Policy BH3 of the Blackpool Local Plan 2001 - 2016.

3. Within three months from the date of this permission, gates and flow plates shall be provided (or retained) at the vehicular and pedestrian access and egress points to the car park, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and the parking bays marked out; and all shall thereafter retained.

Reason: In the interests of the living conditions of neighbouring residents and highway safety and in accordance with Policies BH3 and AS1 of the Blackpool Local Plan 2001 - 2016.

4. All means of vehicular access to the car park shall be from Hornby Road and all egress from the car park shall be via Back Reads Road. Such means of ingress/egress shall be signed and lined and advertised on site in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and such provision shall thereafter be retained.

Reason: In the interests of highway safety and in accordance with Policy AS1 of the Blackpool Local Plan 2001 - 2016.

5. Prior to the erection of any lighting columns on site, a lighting scheme to include details of the locations, height, luminaires and extent of light spill shall be provided to and agreed in writing by the Local Planning Authority. Such scheme shall be implemented as part of the development and thereafter retained.

Reason: In the interests of residential amenity and in accordance with Policy BH3 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 need 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.