

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

Present:

Councillor Owen (in the Chair)

Councillors

Baker	Kirkland	Robertson BEM
Farrell	O'Hara	Stansfield

In Attendance:

Susan Parker, Head of Development Management
Carl Carrington, Head of Planning Quality and Control
Nick Gerrard, Growth and Prosperity Programme Director
Ian Curtis, Legal Adviser,
Keith Allen, Traffic Technical Clerk
Jenni Cook, Democratic Governance Senior Adviser
Ian Morris-Ilffe, Head of Programme Management
Malcolm Glynn, Deputy Head of Legal Services
Louise Middleton, Property and Commercial Lawyer

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 7 SEPTEMBER 2021

The Committee considered the minutes of the last meeting held on 7 September 2021.

Resolved:

That the minutes of the Planning Committee be approved and signed by the Chair as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Planning Committee considered a report on planning and enforcement appeals lodged since the last meeting. Three appeals had been lodged and one appeal had been determined. This appeal had been dismissed by the Planning Inspector.

Resolved:

To note the update.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered a report on planning enforcement activity within Blackpool between 1 August 2021 and 31 August 2021. During August 23 new cases were registered for investigation and as at 31 August 2021 there were 496 “live” complaints outstanding. In total 13 cases had been resolved by determination without recourse to formal action. Two S215 notices had been issued along with two Community Protection Warnings.

Resolved:

To note the update.

5 PLANNING APPLICATION 21/0517: LAND BOUNDED BY CENTRAL DRIVE, NEW BONNY STREET, BONNY STREET, SEASIDERS WAY AND CHAPEL STREET , BLACKPOOL, FY1 5RL

The Planning Committee considered planning application 21/0517 for Land Bounded by Central Drive, New Bonny Street, Bonny Street, Seaside Way and Chapel Street

Miss Susan Parker, Head of Development Management, provided the Committee with a presentation that outlined the application in detail. She described the site and broadly explained the Environmental Impact Assessment (EIA) process, confirming that the overall findings of the submitted Environmental Statement had been accepted.

Miss Parker detailed the various elements of the proposal and advised that nine representations had been received in response to the application as detailed in the officer report and update note.

Miss Parker informed the Committee that the scheme was of mixed use but the main goal was to provide a new leisure attraction. In respect of policies, she advised that CS20 of the Core Strategy was the most relevant and that, whilst Members were acknowledged to be familiar with the policies of the Development Plan, a paper copy of CS20 had been provided for convenient ease of reference.

Some of the key issues for the Committee to consider were whether the proposal was ‘new’, whether it would be significant enough to deliver the regeneration ambitions of the policy, and the impact it would have on existing attractions. Blackpool Pleasure Beach considered the proposals to be contrary to Policy CS20 and had objected to the application on that basis. Their comments were detailed in the officer report and update note.

Whilst there was no planning definition of a theme park, general industry understanding suggested that it was not materially different to an amusement park. The Pleasure Beach is an amusement park and Members must therefore consider the extent to which the proposal was represented a different form of attraction. The flying theatre would definitely be a new attraction for Blackpool. The theme parks would be entirely indoor and would therefore be a year-round attraction.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

The Statement of Intent submitted by the applicant identified the provision of virtual reality and multi-media elements. Condition 5 as proposed would require the development to proceed in broad accordance with the theme of 'ancient discoveries, aliens, adventure and mystery' as set out in that document. Miss Parker noted that a unified theme across all aspects of the leisure offer within the indoor theme parks would create an attraction of scale. It was acknowledged that the proposal in itself may not be of national significance but would add to the existing offer and support the resort as a whole as a national destination.

Miss Parker advised of the challenges in predicting visitor numbers. Overall the scheme was anticipated to attract a significant number of visitors without having an unacceptable impact on existing attractions.

The Committee was reminded that compliance or conflict with any one policy of the Development Plan, including CS20, had to be balanced against compliance with the Development Plan as a whole and all relevant material considerations in reaching a decision.

Miss Parker explained the requirements relating to the provision of hotel accommodation and advised again of the difficulties in accurately predicting demand. Overall it was judged by officers that the development would generate more demand for overnight accommodation than could be met on site.

In respect of the main town centre uses, the site fell within the town centre boundary but outside of the Principal Retail Core which is considered to be Blackpool's Primary Shopping Area. No sequential appraisal or impact assessment had been submitted. However, the primary concern of the policy was to protect the health of the Town Centre and Central Drive Local Centre and this had been considered by officers. On balance, the retail provision proposed on site was considered to be acceptable

In respect of highways and parking matters, Miss Parker noted the challenges presented by the methods of predicting parking demand used by the Council and applicant. Planning policy required the development to provide parking for general town centre use. The elements of the scheme which would generate parking demand would be delivered at different times, as would the two elements of parking provision which would result in a broad range of parking demand. This could create a situation whereby parking onsite provision would be insufficient to meet demand in the medium term until phase 3 was delivered. Miss Parker noted that the Council's Head of Highways and Traffic Management Services had made no objection to the proposal and that parking provision needed to be considered as part of the overall planning balance.

The Committee was informed that the multi-storey car park would sever the vehicle and pedestrian connection from Seaside Way onto the site which would affect tourist access to the site itself, and motorists using it as a cut through from the motorway to access other destinations. In the short term, all traffic would be diverted and taken off Seaside Way to the south of Chapel Street which was likely to be at Waterloo Road, Bloomfield Road and/or Lonsdale Road.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

In the medium term, once the multi-storey car park was built, only motorists passing through would require diversion. In the long term, a new link road from Seaside Way to Chapel Street was proposed as part of phase 3. There would be a need for diversion routes and associated signage and signal changes. Officers were confident that appropriate mitigation in terms of diversion routes could be agreed through condition to overcome the severance issue.

Pedestrian movement would also be affected. It was essential that safe and attractive pedestrian routes through to the town centre were created and the Committee's attention was drawn to the inclusion of conditions to this effect. Longer term it was envisaged that the streets immediately around the northern end of the site would be given more pedestrian priority to better connect the town centre, site and resort core which would require a range of highway improvement works and alterations in the area surrounding the site. Officers were confident that the highway issues and improvements could be managed by condition without undue impact on the highways network.

The Committee was asked to note the updated comments from Her Majesty's Courts and Tribunal Service as stated in the update note.

A stage one Habitats Regulation Assessment had been submitted which had found no likelihood of significant impact on the conservation values of the nearby protected sites subject to the imposition of the conditions recommended. The Committee was recommended to adopt the Habitats Regulation Assessment on behalf of the Council as the Competent Authority before making a decision in respect of the application.

Miss Parker made reference to other key material planning considerations and advised that she considered none of them to weigh substantively against the proposal.

Miss Parker informed the Committee that the site was in a sensitive visual location within the setting of statutorily and locally listed buildings and two conservation areas. The main approach into the site provided a strategic view of the iconic Blackpool Tower. The scheme had been designed to respond to this context and create an exciting and engaging arrival point for visitors. A Townscape and Visual Impact Assessment had been submitted as part of the Environmental Statement which considered the impact on views agreed at the pre-application stage. The findings of this document had been agreed. As set out in the officer report, overall the scale and indicative layout of development was considered to be acceptable in visual terms.

Details of the proposed multi-storey car park and Heritage Quarter had been submitted as part of the full element of the scheme. The multi-storey car park had presented a design challenge due to its scale, nature and function. The materials proposed were considered to be suitable and the effective use of lighting could enhance the overall appearance during hours of low light or darkness. The use of perforation would be an interesting way to create visual interest and the diagonal design would reference the form of the Tower.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

Miss Parker acknowledged that the solution proposed did not reflect the highest design quality and creative architecture sought by policy, and the Committee must consider this in terms of planning balance.

Miss Parker reminded the Committee of the statutory duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and reflected in the NPPF. The works proposed to the Heritage Quarter would significantly improve the appearance of these buildings and have a positive impact on the quality of the street scene. No heritage objections had been raised by consultees and no substantial harm to any asset was anticipated. Suitable conditions had been proposed to protect and enhance the heritage assets and Overall the works to restore the buildings more closely back their original forms, were welcomed.

Miss Parker informed the Committee of the anticipated benefits of the scheme and noted that planning law stipulated the starting point for the determination of applications should be the Development Plan. However, the decision maker must give due regard to all material planning considerations and weigh the planning balance. The amount of weight to be attached to each planning consideration was for the decision maker to determine but at all times the decision maker must act reasonably and the decision must therefore reflect the reasonable judgement of a reasonable person acting reasonably.

The Committee was reminded that in reaching its conclusion any conflict with planning policy or the Development Plan should be balanced against any benefits the scheme would deliver. Miss Parker advised that the benefits could include job creation, increased economic output, a widened visitor market, improved perceptions of the resort and further investment and growth. Given the central role of tourism in the Blackpool economy, and the very high levels of deprivation that the town suffers from, Miss Parker suggested that the Committee should afford these considerations significant weight.

Miss Parker advised Committee that the potential for the Council to benefit financially from the scheme as land owner must be disregarded and afforded no weight in the planning balance.

The Committee was recommended to adopt the Habitats Regulations Assessment on behalf of the Council as the Competent Authority and grant planning permission subject to the conditions listed at Appendix D to the update note.

Mr Nick Laister, objecting on behalf of Blackpool Pleasure Beach, spoke on the application and stated that the Pleasure Beach strongly supported redevelopment of the area. However it had grave concerns regarding the content of the development and how it had changed since the Executive adopted the Master Plan for Blackpool in December 2018. The application now stated that it was for the 'erection of three indoor theme parks' and 'likely to include white knuckle and family rides'. Core Strategy Policy CS20 was quoted and the Pleasure Beach had received advice stating that most Councils in the UK consider a 'theme park' to be an 'amusement park' and that these were one and the same in planning terms.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

Mr Laister stated that approval of another theme park would directly undermine the Pleasure Beach's existence and it had suggested a condition that would prevent more than 10% of the floor space being used for mechanical rides. Condition 5 as proposed in the update report did not remove the concerns and the proposal was contrary to Core Strategy Policy CS20. It was also disputed that changing the description of the development would result in a considerable delay to the planning process.

Mr Adrian Spawforth, Agent for the Applicant, spoke in favour of the application and stated that the proposed development aimed to provide Blackpool with a more diverse leisure offer that would encourage more visitors to stay in the area for longer. This was not an indoor version of the Pleasure Beach. This was a mixed-use regeneration project that would provide buildings for use 364 days of the year and shelter during the winter months. Outdoor spaces would be created for events such as concerts.

The location was considered to be sustainable and would re-use the historic buildings with use of the best in-class standards (BREAM) to support the Council's green agenda. Provision for electric vehicle points in order to 'future proof' the development would be made. Consultation had taken place and over 700 people had responded. The concerns of Her Majesty's Courts and Tribunals Service had been addressed by the proposed conditions. Mr Spawforth noted that the development would bring multiple benefits to existing businesses, particularly those offering accommodation and the development was expected to create circa 1000 additional jobs.

Miss Parker responded to the concerns raised by Mr Laister in his representation and informed the Committee that the Pleasure Beach's proposal to impose a condition to limit mechanical rides to 10% of the floor space was considered to be unreasonable and unjustified.

The Committee discussed the application and noted that the proposed multi-storey car park would be under the control of the Council and could open on the 365th day, being Christmas Day, if so desired. The Committee enquired about a condition to limit the percentage of mechanical rides and Miss Parker reiterated that it would be unreasonable to do so as there was no evidence to dictate any such percentage.

In response to questions from the Committee with regards to the ten-year timescale for development, Miss Parker confirmed that the timescale was intended to take into account any unexpected events and that the demolition of the Court buildings would form a large part of this timescale.

The Committee considered the application, the representations and the clarification that Miss Parker had provided to its questions. It took the view that whilst the scheme proposed did not fully meet the aspirations of planning policy, it would deliver significant benefits to the resort and had the potential to improve perceptions of the resort act as a catalyst for future investment. The Committee agreed that the attractions proposed would not undermine the existing elements of the resort offer and that the majority of concerns identified could be adequately mitigated against, with conditions imposed as appropriate.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

The Committee considered that the remaining concerns, including those relating to design, were insufficient in magnitude to outweigh the benefits that would result from the proposal. The Chairman of the Committee noted that approving the application would bring forward a major development as a major part of Blackpool's tourism offer.

Resolved:

1. That the Habitats Regulation Assessment carried out in respect of the application is adopted by the Council.
2. That outline planning permission is granted with all matters reserved for:
 - Demolition of all buildings on site.
 - Erection of three indoor theme park buildings incorporating ancillary retail/food/drinking establishment uses.
 - Erection of a building to provide a hotel with ancillary and independent restaurants/drinking establishments.
 - Creation of new public realm spaces including a public square to be used for live events.
 - Erection of buildings within the public realm for the sale of food and drink and for use as drinking establishments including provision of way-finding vertical feature.
 - Provision of new coach station and car park.
 - Associated infrastructure including access, drainage features and electrical substation(s).
3. That full planning permission is granted for:
 - Former King Edward VII Picture House – external alterations, demolition of single-storey extension to rear, erection of single storey extension to rear, erection of glazed canopy to side, and for use as a drinking establishment and sale and consumption of food and drink.
 - King Edward Public House – external alterations, demolition of single-storey extensions to rear, and use as a drinking establishment and sale and consumption of food and drink and as an apart-hotel.
 - Former King Edward Apartments – external alterations, demolition of two-storey extension to rear, erection of five-storey extension and use as an apart-hotel with ground floor retail and food and/or drinking establishment uses.
 - Creation of new public realm and service area to rear of buildings.
 - External alterations to existing substations including partial demolition.
 - Erection of a seven-level multi-storey car park and associated infrastructure including new electrical sub-station with access and egress from Seaside Way and Chapel Street.
 - Demolition of single-storey units fronting Central Drive on either side of the former apartment block.
 - Creation of access from Central Drive.
 - Details of vehicular access and egress from Seaside Way and Chapel Street.
4. That the above outline and full planning permissions are subject to the conditions as started in Appendix D of the Update Report.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

6 PLANNING APPLICATION 21/0527: FORMER KING EDWARD VII PICTURE HOUSE, CENTRAL DRIVE, BLACKPOOL, FY1 5QE

The Planning Committee considered application 21/0527 for the former King Edward VII Picture House, Central Drive.

Miss Susan Parker, Head of Development Management, outlined the report, the nature of the application and the details of what was proposed.

The building as altered would be used for the sale and consumption of food and drink in the form of an artisan market or food hall. The building dated back to 1913 and was listed as Grade II in 1983. Historic England, Theatres Trust, Cinemas Trust, Lancashire County Council Archaeology Service, the Civic Trust and Blackpool's Built Heritage Manager have all considered the proposals. Two representations were received in relation to the application and these were detailed in the officer report.

Miss Parker noted that the building had been subject to a number of unsympathetic alterations over the years and these had been damaging to its character and significance. The building had deteriorated with a leaking roof causing ceiling damage. There was some evidence of slight structural movement and the basement was susceptible to flooding.

The application had been considered with due regard to the statutory duties contained in the Planning (Listed Buildings and Conservation Areas) Act 1990 and relevant paragraphs of the National Planning Policy Framework. The benefits of bringing the building back into active use and thereby safeguarding its future were well recognised and the proposal was welcomed. Given the history of the building and wider area, the use proposed was considered to be appropriate.

Miss Parker advised the Committee that the Council would benefit financially from the sale of this building but that this was not a material planning consideration and therefore no weight should be attached to it.

The building had been vacant for several years and was semi-derelict. Most original internal features had been removed or severely compromised. Bringing the building back into beneficial use, restoring lost features and repairing those that remain would significantly enhance the character and significance of the building as a heritage asset. Subject to the conditions recommended, the works would result in less than substantial harm and the harm that would arise would be clearly outweighed by the benefits of the scheme. Members were recommended to grant Listed Building Consent subject to the conditions listed in the officer report.

The Chair of the Planning Committee, Councillor Owen, noted the contribution of the Council's Heritage Assets Officer to the report.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 12 OCTOBER 2021

Mr Adrian Spawforth, Agent for the Applicant, spoke in favour of the application and assured that Committee that it was the applicant's intention to ensure that any changes did not detract from the building and that the heritage asset was integrated into the scheme.

The Committee discussed the application and noted that this building had been subject to a number of applications over the years and this was an opportunity to retain and restore an iconic building.

Resolved:

That the application is approved subject to the conditions in the officer report.

7 DATE OF NEXT MEETING

Resolved:

To note the date of the next meeting as 16 November 2021.

Chairman

(The meeting ended at 7.10 pm)

Any queries regarding these minutes, please contact:

Jenni Cook Democratic Governance Senior Adviser

Tel: (01253) 477212

E-mail: jennifer.cook@blackpool.gov.uk