

Officer Report to Committee

Application ref: 21/0968
Ward: TALBOT
Application type: FULL

Location: STANLEY BUILDINGS, CHURCH STREET, BLACKPOOL

Proposal: Refurbishment of the existing building and external alterations to all elevations and windows, installation of replacement shop fronts, creation of courtyard at ground floor level, provision of new roof terrace at second floor level and use of premises as altered for office, cafe and retail uses following the demolition of various structures within the courtyard area.

Recommendation: Approve

Case officer: Clare Johnson

Case officer contact: 01253 476224

Meeting date: 22/03/2022

1.0 BLACKPOOL COUNCIL PLAN 2019-2024

- 1.1 The Council Plan sets out two priorities. The first is 'the economy: maximising growth and opportunity across Blackpool', and the second is 'communities: creating stronger communities and increasing resilience.
- 1.2 This application accords with both priorities of the Plan as it would refurbish an existing locally listed building in the Town Centre Conservation Area and support the wider regeneration efforts. The proposal would bring redundant or underutilised space back into beneficial economic use and would support existing businesses which occupy the premises.

2.0 SUMMARY OF RECOMMENDATION

- 2.1 The application involves internal and external alterations to repair and refurbish a prominent, locally listed building in the Town Centre Conservation Area to provide good quality retail and office spaces. The application sets out that the alterations proposed are necessary to safeguard the building, which is currently underutilised and in a state of disrepair.
- 2.2 It is considered that the proposals are in accordance with national and local planning policies and that the alterations will preserve the most significant elements of the buildings façades and overall, would preserve and enhance the Town Centre Conservation Area.
- 2.3 Members are, therefore, respectfully recommended to grant planning permission subject to the conditions listed at the end of this report.

3.0 INTRODUCTION

3.1 This application is before Members because this is a Council scheme for a locally listed building in the Town Centre Conservation Area which is of general public interest and has received objections from current retailers within the building.

4.0 SITE DESCRIPTION

- 4.1 The site is within the Town Centre and the Town Centre Conservation Area and the application properties, known as the Stanley Buildings, are locally listed. The Stanley Buildings are located on a triangular plot with a central courtyard, bounded by Church Street, Counce Street and Cookson Street and have two distinct design elements.
- 4.2 The former Midland Bank building which faces toward St Johns Square, pre-dates the rest of the Stanley Buildings and has red brick elevations with stone plinths and detailing and a pitched and rounded slate roof. The former bank is currently in use as a hot food takeaway on the ground floor and basement, with residential use on the first floor and within the roofspace.
- 4.3 The rest of the Stanley Buildings replaced Stanley Terrace in around 1935 and were designed by the Borough architect J.C. Robinson, who designed many of Blackpool's municipal buildings from that era. The part two, part three-storey Art Deco flat roof buildings are of steel frame construction with decorative green mosaic tiled façades surrounding shopfronts at ground floor and buff faience façades on the upper floors to match the corporate colours of that time.
- 4.4 The upper floors remain largely intact, other than the insertion of some modern windows. Each elevation to Counce Street, Cookson Street and Church Street contains a number of regularly spaced, symmetrical and ordered bays with windows classically arranged within them. Each bay is defined by protruding and decorative faience detailing. Most of the windows on the Counce Street elevation appear to be original sash windows and there are also some sash windows on the Cookson Street elevation. No original windows survive on the Church Street elevation and the modern windows vary in design. The surviving sash windows appear to be in poor condition. The faience in many areas, particularly around the windows is suffering from spalling due to water ingress and corrosion of the steel frame and wall ties.
- 4.5 The ground floors fronting Church Street, Cookson Street and Counce Street are retail and office uses sat behind a variety of original and more modern shop frontages, some with external roller shutters or projecting canopies. The upper floors are a mix of retail, office and residential.
- 4.6 There is an internal courtyard which has gated pedestrian and vehicle access from Counce Street and Cookson Street. There are various extensions and stair cores within the courtyard leading to first floor terraces. The majority of the walls in the courtyard are red brick and are in poor condition. The courtyard is used for access, servicing and refuse storage.
- 4.7 Some of the ground floor units have internal access to basements and/or the upper floors. There is independent access to some first floor units from within the courtyard or via two entrances on Cookson Street and an entrance on Counce Street, which themselves are surrounded by decorative faience.

4.8 Immediately surrounding the application site is St Johns primary school, The Brew Room public house (locally listed), the Regent Cinema (Grade II listed) and further retail uses and residential properties, all between two and three storeys in scale. The streetscape has recently benefitted from Quality Corridors investment in terms of new pavement and road surfacing and tree planting.

4.9 The site is within the Town Centre Conservation Area, Flood Zone 1, the Defined Inner Area, an Air Quality Management Area and the Airport Safeguarding Zone. No other designations or constraints have been identified.

5.0 DETAILS OF PROPOSAL

5.1 The proposal is for the refurbishment and reconfiguration of the existing buildings to provide a mix of retail, café and office space. The refurbishment will involve façade repairs, replacement windows and shopfronts with bronze anodised frames, removal of canopies, provision of a terrace at first and second floor, demolition of three modern extensions in the courtyard and alterations to the courtyard to provide access, refuse and bike storage and landscaping.

5.2 The application has been supported by:

- A Heritage Design and Access Statement.
- A Feasibility Report which sets out alternative proposals.

6.0 RELEVANT PLANNING HISTORY

6.1 There is no planning history which is particularly relevant to this planning application.

7.0 MAIN PLANNING ISSUES

7.1 The main planning issues are considered to be:

- The principle of development.
- Heritage and design/visual amenity.
- Residential and commercial amenity.
- Highway impact.

8.0 CONSULTATION RESPONSES

8.1 Conservation Officer:

8.1.1 No objection to the refurbishment and re-use of the building which will enhance the conservation area and ensure a sustainable future for the locally listed building. The proposal for the new window design for the main building has been reached following the assessment of a number of options. No objections raised in principle to the proposed option provided there is justification, as more of the original fabric will be removed than some of the other options.

8.1.2 The proposal would change the appearance from one of a strong horizontal rhythm by introducing more vertical emphasis. It would be useful, therefore, if more detail could be provided to support this option e.g. what is the condition of the blocks which are going to be removed, do they need to be removed to inspect and repair/protect the steel frame, do they

need to be removed to undertake repairs to the window sills and heads? The steel frame will likely need inspection and repair whichever option is chosen, so it would help to understand if these changes will provide a better long term outcome than option 3, which retains the faience between floor levels. The proposed remodelling of the former bank will also require the removal of original fabric and introduce glazing which appears almost to reach ground level. *(Additional details submitted confirming that the proposals are the most cost effective solution. Amended plans have been submitted which retain more of the historic building fabric in the former bank building).*

- 8.1.3 More building fabric will be removed than appears necessary and it is difficult to understand how the internal floors will be accommodated. This also applies to the main building. It would be useful if section drawings could be provided of the former bank through a glazed section, and of the main building through a central three storey section. *(Additional details submitted and plans amended).*
- 8.1.4 Samples of the opaque 'look alike' glazing and clear glazing will be required, but if the opaque glazing is going to be in an almost continuous band to hide the floor structure behind then it will be a unified appearance. It will also help us to know understand how successful it will be at hiding the floor so they can come up with something else such as an anodised panel, if necessary. *(Materials to be agreed by condition).*
- 8.1.5 No objection to the demolitions or the use of a breathable render in the courtyard area.
- 8.1.6 Following the submission of amended plans showing the retention of the brick and stone work between the windows on the former bank building, the Conservation officer confirmed that the amendments made the elevations of the former bank more legible.

8.2 Head of Highways and Traffic Management Services:

- 8.2.1 No objections to the proposal. It was noted that the detail provided does not deal with servicing and queried how loading and unloading of goods would take place.
- 8.2.2 Refuse vehicles are too large to access the courtyard but it would be logical to present to refuse bins for collection on Counce Street as the access on Church Street is too close to traffic signals.
- 8.2.3 A loading bay long enough to accommodate a HGV will be required on Counce Street to avoid larger vehicles blocking a contra-flow cycle lane and risking head on collisions. These details should be agreed by condition. A swept path should also be submitted.
- 8.2.4 If the proposal is to be approved in some form, a Demolition/Construction Management Plan should be conditioned. *(To be agreed by condition.)*
- 8.2.5 Following the submission of amended plans showing a 'through route' through the courtyard between Cookson Street and Counce Street, the Head of Highways and Traffic Management has confirmed that the accesses would need to operate one way and enforced by signage internally and at the Cookson Street and Counce Street archways. *(To be agreed by condition.)*
- 8.2.6 The drawing shows open crossings with the kerbs returned. This is not acceptable and the existing dropped crossings should be retained.

8.3 Environmental Protection: Officers have suggested that the following hours of operation for demolition to be secured as part of a Demolition/Construction Management Plan through condition:

Monday - Friday - 8am - 6pm

Saturday - 9am - 1pm

No demolition Sundays or bank holidays.

8.4 Blackpool Civic Trust: No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the Update Note.

8.5 Head of Strategic Asset and Estates: No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the Update Note.

9.0 REPRESENTATIONS

9.1 Site notice published: 24/11/2021.

9.2 Neighbours notified: 17/11/2021.

9.3 A letter of objection has been received and signed by four of the retailers who currently occupy units within the building:

- Mankind, 166 Church Street
- Hermosa Boutique, 168 Church Street
- Flute Hairdressing, 172 Church Street
- Lingerie Lounge, 174 Church Street

9.4 The letter confirms support for the repairs to the roof and the renovation of the mosaic tiles which face the building, but also raises the following issues:

- Retailers have invested in their shopfronts.
- Standardising the shopfronts is not in their best interests.
- Part of the attraction to their customers as an independent retailer, is individuality and uniqueness.
- Retailers have legal vehicular access to the rear of their properties for servicing, refuse storage and rubbish removal and the landscaping in the courtyard would compromise this.
- The landscaping could impede access for fire vehicles in an emergency.
- The landscaped area is a waste of money which will require maintenance and would not be used as it would receive no sunshine.

9.5 These issues are addressed in the Assessment section of this report.

10.0 RELEVANT PLANNING POLICY

10.1 National Planning Policy Framework

10.1.1 The National Planning Policy Framework was adopted in July 2021. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 2 – Achieving sustainable development
- Section 6 – Building a strong, competitive economy
- Section 7 – Ensuring the vitality of town centres
- Section 8 - Promoting healthy and safe communities
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

10.2 National Planning Practice Guidance

10.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the National Planning Policy Framework.

10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS1 Strategic Location of Development
- CS3 Economic Development and Employment
- CS4 Retail and Other Town Centre Uses
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage
- CS9 Water Management
- CS10 Sustainable Design and Renewable and Low Carbon Energy
- CS12 Sustainable Neighbourhoods
- CS17 Blackpool Town Centre

10.4 Blackpool Local Plan 2011-2016 (saved policies)

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved policies are most relevant to this application:

- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ4 Building Design
- LQ6 Landscape Design and Biodiversity
- LQ7 Strategic Views
- LQ9 Listed Buildings
- LQ10 Conservation Areas
- LQ11 Shopfronts
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- AS1 General Development Requirements

10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)

10.5.1 In December 2021, the Blackpool Local Plan Part 2 (Part 2) was the subject of independent examination. Part 2 has not yet been adopted so at this point in time the weight to be attached to various policies is limited and depends upon the extent to which they are subject to objection and the timing of the submission of a planning application. Nevertheless, the following emerging policies in Part 2 are most relevant to this application:

- DM17 Design Principles
- DM20 Extensions and Alterations
- DM21 Landscaping
- DM22 Shopfronts
- DM27 Conservation Areas
- DM28 Non-Designated Heritage Assets
- DM31 Surface Water Management
- DM35 Biodiversity
- DM41 Transport Requirements for New Development

10.6 Other Relevant Policy Guidance

10.6.1 Town Centre Conservation Area Appraisal 2015.

10.3.2 Town Centre Strategy 2013.

11.0 ASSESSMENT

11.1 Principle of Development

11.1.1 The principle of a mix of retail, café and office space within the Town Centre is acceptable. Refurbishing the building and bringing some unused spaces back into beneficial economic use would have social and economic benefits in terms of potential job creation and encouraging more people into the Town Centre. It is anticipated that the refurbished office spaces on upper floors would support existing and new small businesses.

11.1.2 Refurbishing and reusing a building is generally far more sustainable than completely redeveloping a site and there is a presumption in favour of retaining, reusing and repairing heritage assets.

11.1.3 The main issue with this proposal is the impact of the external alterations on the appearance and significance of the building as a non-designated heritage asset and on the setting of the Town Centre Conservation Area and the Grade II listed Regent Cinema.

11.2 Heritage and design/visual amenity

11.2.1 The Town Centre Conservation Area and the Regent Cinema are designated heritage assets and the locally listed Stanley Buildings are non-designated heritage assets.

11.2.2 The National Planning Policy Framework states that when determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to

sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In terms of non-designated heritage assets, the effect of an application on its significance should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset and any public benefits to the scheme.

- 11.2.3 Core Strategy Policy CS8 states that proposals will be supported that retain, reuse or convert, whilst conserving and enhancing the significance of designated and non-designated heritage assets and their setting, and that enhance the setting and views of heritage assets through appropriate design. Saved Policy LQ9 states that development that would adversely affect the character or appearance of a listed building or its setting will not be permitted.
- 11.2.4 Saved Policy LQ10 states that permission for the demolition of any building or structure that makes a positive contribution to the character or appearance of a Conservation Area will not be granted, other than in exceptional circumstances. Applications will be considered having regard to the following criteria: (i) the importance of the building or structure, its intrinsic architectural and historic interest and its contribution to the character and appearance of the Conservation Area (ii) the condition of the building or structure and the cost of repairing and maintaining it in relation to its importance (iii) the adequacy of efforts made to retain the building in use (iv) the contribution any replacement building makes to the character and appearance of the Conservation Area.
- 11.2.5 The application is accompanied by a Feasibility Report which sets out the various options that have been considered for the buildings, from full restoration to full demolition so that the site could be redeveloped. A breakdown of the costs involved for the various options explored in the Feasibility Report has not been provided. However, that report sets out that a full faience restoration would be too costly as the faience repair is a bespoke process and that areas of faience would have to be removed to repair the steel structure of the building.
- 11.2.6 The demolition of more modern extensions in the courtyard will have no impact on the character or appearance of the Conservation Area or nearby listed buildings and would have no impact on the significance of the Stanley Buildings as a non-designated heritage asset. It has been demonstrated that rendering the courtyard walls is necessary due to the poor condition of the brick work and again, this element of the scheme would not be readily visible in the streetscene and would have little impact on the significance of the building or the Conservation Area.
- 11.2.7 As built, the ground floor of the 1935 re-development comprised 26 distinct and ordered shop units and some of this order has been lost through the amalgamation of units and the display of long fascia signage which sits over the original green mosaic tiled pilasters. Some of the pilasters themselves have been tiled over or hidden behind signage although decorative golden tiles at the top of the pilasters are still evident. Some of the green mosaic tiles on the pilasters and cornices are damaged or missing.
- 11.2.8 Some of the existing shopfront replacements are unsympathetic and the inclusion of roller shutters over some units harms the setting, legibility and significance of the building and the Conservation Area. The proposal involves the replacement of all of the shopfronts with a

uniform design with anodised bronze frames around toughened glass and black aluminium stall-risers and fascias.

- 11.2.9 There are however, six original timber shopfronts remaining on Cookson Street and Caunce Street, including black and white decorative terrazzo flooring in front of recessed doorways. The loss of these six original shopfronts weighs against the scheme as original timber shopfronts and recessed doorways are generally considered to be positive character features on a building, particularly in a Conservation Area and their loss could be considered to cause harm to the significance of the Conservation Area. The applicant has agreed to retain decorative top lights over the entrances to the upper floors on Caunce Street and Cookson Street and that every effort will be made to retain the associated timber doors, subject to further condition surveys. The original terrazzo floor in the existing recessed doorways will also be retained internally wherever possible. On balance, it is considered that the public benefits of the comprehensive overhaul and refurbishment of the ground floor weighs more heavily in the planning balance than the retention of the original shopfronts in this instance.
- 11.2.10 The removal of over cladding and unsympathetic signage and the sensitive repair of the tiled pilasters and cornices along with the installation of sensitively and uniformly designed shopfronts would be a significant improvement to the appearance and legibility of the shopfronts in the streetscene and the Conservation Area. The replacement shopfronts would be well designed and along with the associated repair works, would conserve and enhance the appearance, character and significance of the shopping frontages as a whole, and the Conservation Area.
- 11.2.11 With regards to the proposals for the upper floors of the Art Deco parts of the building, these involve the removal of all of the windows and the faience clad spaces between the windows, within their defined bays and their replacement with a single glazing system with anodised bronze frames and fluted glazing details. The remaining faience surrounding the bays would be repaired/replaced as appropriate.
- 11.2.12 Following comments from the Conservation Officer requiring further justification for the loss of original fabric, the applicant has stated that these proposals balance out the amount of costly repairs to the faience, bring about a uniformity to the elevations whilst repairing and restoring the more intricate details of the faience cladding which define the bays. Removing some of the historic fabric is necessary to facilitate the repair of the failing steel frame which is causing the sills and heads to crack and drop as is evident around the building. The applicant has stated that the design of the new window bays follows the existing proportions of the openings at each floor with a 'lookalike' glazed spandrel panel between the head of the first floor and sill of the second floor. In terms of the vertical rhythm, the applicant argues that this emphasises the buildings steel structure and works in proportion with the newly proposed shop fronts which have been designed in response to the original shopfront proportions.
- 11.2.13 Clearly, the loss of so much original fabric including areas of faience and some original windows, will harm the significance of the building and will impact on the character and significance of the Conservation Area. However, the interventions proposed have been designed to harmonise with the vertical and horizontal rhythm of the building and subject to agreeing the materials, the harm caused is considered to be less than substantial (National Planning Policy Framework paragraph 202) and that the harm is outweighed by the public benefits of the proposal which would secure the long term optimum viable use of the

building. The proposals are not considered to cause harm to the significance of the Grade II Regent Cinema.

11.2.14 An outdoor courtyard is proposed at second floor, to the rear of the former bank and another at first floor which would overlook the main courtyard at ground floor. These would have no impact on heritage or visual amenity.

11.2.15 Regarding the proposals for the former bank, following concerns from Officers, the plans for the former bank elevations have been amended to retain more of the original fabric and more of the original window proportions. There are currently four modern doorways into the existing hot food takeaway, two on Cauce Street and two on Church Street. None of the windows or doors are original, apart from the double doors on Cauce Street which give access to the upper floors. As existing, the window positions and dimensions in the upper floor appear to be original, but the dimensions of the windows on the ground floor have been reduced at some point in the past, although the original dimensions are still legible, due to the decorative stone surrounds. The proposal would replace the first floor windows with bronze framed windows to match the rest of the refurbishment. On the ground floor, the window openings would be increased to their original height and would be extended down through the stone plinth, to almost reach floor level. Two new entrances would be provided in the two larger window openings on Church Street and Cauce Street. Again, the bronze frames would match the rest of the rest of the refurbishment. The positioning of the entrances as shown would result in the loss of two original mullions on each elevation, one of which is currently in a state of significant disrepair. The entrance to the upper floors of the former bank on Cauce Street would remain.

11.2.16 Non-original roof lights would be removed along with an internal flue which currently punches through the roof on the Cauce Street side of the building.

11.2.17 Again, the loss of original fabric is unfortunate (four mullions and areas of the stone plinth). However, the elements of the proposal which open up the full height of the original window openings and the removal of poor quality internally illuminated box signs would enhance the significance of the building and the Conservation Area. On balance, any harm caused by the loss of original fabric would be outweighed by the public benefits of the proposal.

11.3 Residential and commercial amenity

11.3.1 Two residential flats would be lost as a result of the proposal. As the Council can comfortably demonstrate a five-year housing land supply at present, this does not weigh materially against the proposal. The floorspace would be taken up by a café at first floor and a function room in the roof space in the former bank building, and office space in the Art Deco building. The scale of the building would not change and the mix of uses proposed are appropriate in the Town Centre. Subject to the submission of a demolition and construction management plan which would manage issues such as working hours, noise and dust during the demolition and construction phase, no impact on residential amenity is anticipated.

11.3.2 In terms of the existing retail units at ground floor, they would have improved access to a more attractive and usable internal courtyard with defined areas for refuse storage and a landscaped seating area. The arrangement of the internal courtyard has been changed in response to the objections received and there is now vehicle access through the courtyard to improve the servicing of the site. The access points have never been large enough to accommodate a fire appliance and the access points would remain in their current form and dimensions.

11.3.3 Some of the retailers who have objected to the proposals have stated that standardising the shopfronts is not in their best interest, as part of the attraction to their customers as an independent retailer, is individuality and uniqueness. However, the building was designed to have uniformity and symmetry which has been lost due to the inclusion of modern roller shutters and unsympathetic signage on some units. The works proposed will improve the appearance of the building and the individual retail units.

11.3.4 Maintenance arrangements for a small piece of publically inaccessible landscaped area would be for the applicant to manage and is not a material planning consideration in this case. There is no reason to assume that the landscaped seating area would not be used, particularly with an increased provision of good quality office space within the buildings and the rendering of the courtyard walls, which would reflect more light into the courtyard.

11.4 Highway impact

11.4.1 Subject to the provision of a loading bay on Caunce Street, and that the vehicle route through the courtyard operates on a one way basis, no highway safety impacts have been raised.

11.4.2 No on-site parking is provided, but this is an existing situation and the site is in a sustainable location and close to public transport routes. The proposals include cycle storage and showers in the basement which will encourage the use of sustainable transport and active modes of travel.

11.4.3 Subject to the submission and agreement of a swept path analysis, the provision of one way signage and the inclusion of a loading bay on Caunce Street, the proposal would not have an unacceptable impact on highway considerations.

11.5 Other issues

11.5.1 The site has no known ecological value. As with most development proposals, there is an opportunity to provide ecological enhancements, although they would be limited on this site. Native species could be used in the landscaping scheme, and this would be agreed by condition. The site could accommodate bird and bat boxes in the court yard area and these too could be secured by condition.

11.5.2 In terms of flood risk, the site is within Flood Zone 1 and so there is no requirement for a Flood Risk Assessment. The site is currently completely sealed and so the introduction of soft landscaping would act as a soakaway and assist in reducing the amount of surface water runoff entering into the combined sewer.

11.5.3 The site is within the one Air Quality Management Area in Blackpool. However, subject to the agreement of a Demolition/Construction Management Plan, there is no reason to suppose that the scheme would have an unacceptable impact on air quality during either demolition/construction or operational phases.

11.5.4 Water quality would also be safeguarded during the demolition and construction phase through the agreement of Demolition/Construction Management Plan.

- 11.5.5 The re-use of a building is usually the most sustainable option, and no doubt the refurbishment of the building will improve its thermal performance and make it more energy efficient.
- 11.5.6 The application has 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 (as amended).
- 11.5.7 Under Article 8 and Article 1 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 does not raise any specific human rights issues.
- 11.5.8 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty ("PSED") under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.

11.6 Sustainability and planning balance appraisal

- 11.6.1 Sustainability comprises economic, environmental and social components.
- 11.6.2 Economically, the scheme would bring some underutilised floorspace in the building back into beneficial use as offices for small businesses. The proposals would support existing commercial tenants in providing external refurbishment and enhancements and improved facilities and servicing arrangements. The scheme would support the wider regeneration of the Town Centre and these benefits weigh in favour of the proposals.
- 11.6.3 Environmentally, environmental quality and biodiversity would not be materially affected. The scheme would result in the loss of original features including sash windows, some original shopfronts and the loss of some building fabric including areas of faience, some stone mullions and plinths and this does weigh against the scheme. However, on balance, the removal of other non-original features such as roller shutters, UPVC windows, modern shopfronts, canopies and unsympathetic signage, and the comprehensive nature of the scheme, using good quality materials and which respects the rhythm, flow and symmetry of the building, overall, it is considered that the benefits of the scheme outweigh the loss of some original features and building fabric.
- 11.6.4 Socially, the scheme would provide good quality retail and office spaces and ancillary uses which would support job retention and creation. The landscaping and outdoor terraces would facilitate social interaction and have mental health benefits by introducing greenery to a densely urban area. The site can be accessed safely and modern cycle facilities would be provided to encourage sustainable active travel.
- 11.6.5 In light of the above and on balance, the scheme is judged to constitute sustainable development and no other material planning considerations have been identified that would outweigh this view.

12.0 FINANCIAL CONSIDERATIONS

- 12.1 The scheme could generate additional business rates income for the Council. However, this is not a planning consideration and carries no weight in the planning balance.

13.0 CONCLUSION

- 13.1 The proposal overall will re-introduce balance and symmetry to the elevations which has been lost through unsympathetic replacement windows, shopfronts, intrusive high level signage. Roller shutters, canopies and long fascia signs. Whilst the loss of historic fabric would cause harm to the significance of the building and the Conservation Area, that harm is weighed against the public benefits of the scheme.

14.0 RECOMMENDATION

- 14.1 Members are respectfully recommended to planning permission subject to the following conditions:

- 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 development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans and information:

- 9310-L01 Location Plan
- 9310-D01 P1 Demolition Plan
- 9310-D02 P1 Demolition Plan
- 9310-P01A Proposed Site Plan
- 9310-P02 A Proposed Roof Plan
- 9310-P03 C Proposed Basement and Ground Floor Plan
- 9310-P04 B Proposed First Floor Plan
- 9310-P05 B Proposed Second Floor Plan
- 9310-P06 A Proposed Office Layout Plan
- 9310-P07 B Proposed Street Elevation
- 9310-P08 A Proposed Street Elevation Extract
- 9310-P09 C Proposed Courtyard Elevations
- 9310-P13 P1 Typical Window Detail at 3 Storey Block

The development shall thereafter be retained and maintained in accordance with these approved details.

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

- 3 No development shall take place until a Demolition/Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The

Demolition/Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the demolition/construction period
- control of noise emanating from the site during the demolition/construction period
- hours and days of demolition/construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition/construction period
- arrangements during the demolition/construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- measures to prevent contamination of surface and sub-surface water bodies during the demolition/construction period
- routing of construction traffic

The demolition/construction of the development shall then proceed in full accordance with the approved Demolition/Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, LQ10 and BH3 of the Blackpool Local Plan 2001-2016.

- 4 Prior to the commencement of development a scheme of off-site highway improvement works shall be submitted to and agreed in writing by the Local Planning Authority, and this agreed scheme shall be implemented in full and in full accordance with the approved details before any of the development hereby approved is first occupied. For the purpose of this condition, this scheme shall include:

- The provision of a loading bay on Counce Street.

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016. This scheme must be agreed prior to the commencement of works on site in order to ensure that the building can be appropriately serviced.

- 5 The materials to be used for the windows, fluted glazing, opaque spandrel panels and frames to be used on the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the character and significance of this locally listed building and the Town Centre Conservation Area in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ4, LQ10 and LQ14 of the Blackpool Local Plan 2001-2016.

- 6 The surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final

surfacing and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the character and significance of this locally listed building and the Town Centre Conservation Area in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ4, LQ10 and LQ14 of the Blackpool Local Plan 2001-2016.

- 7 Prior to the internal courtyard seating area being first brought into use as such;
- (a) A landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include a full planting schedule detailing plant species and initial plant sizes, numbers and densities;
- (b) The landscaping scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details; and
- (c) Any trees or plants planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within 7 years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity, to improve biodiversity on the site and to ensure there are areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with Policies CS6, CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ6 of the Blackpool Local Plan 2001-2016.

- 8 Prior to the commencement of the rendering of the internal courtyard elevations, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with this approved scheme. For the purpose of this condition, the scheme of ecological enhancement shall include:

- Provision of bird and bat boxes

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 9 Details of the size, appearance and placement of "one way" signage shall be submitted to and agreed in writing with the Local Planning Authority. The signage shall be displayed in accordance with the approved details prior to bringing the vehicle access through the courtyard into use and shall thereafter be retained.

Reason: In order to ensure safe access to and egress from the site is available in the interests of highway safety in accordance with the provisions of Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policy AS1 of the Blackpool Local Plan 2001-2016.