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MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 26 APRIL 2023

Present:

Councillor Hunter (in the Chair)

Councillors

Baker	Farrell	Sloman
G Coleman	O'Hara	Stansfield

In Attendance:

Carl Carrington, Head of Planning, Quality and Control
Jenni Cook, Democratic Governance Senior Adviser
Ian Curtis, Legal Officer
Susan Parker, Head of Development Management

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 MINUTES OF THE MEETING HELD ON 7 MARCH 2023

Resolved:

That the minutes of the last meeting held on 7 March 2023 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee considered a report on planning appeals lodged since the last meeting.

Resolved:

To note the update.

4 PLANNING ENFORCEMENT UPDATE REPORT- FEBRUARY 2023

The Committee considered an update on planning enforcement activity in Blackpool between 1 February 2023 and 28 February 2023.

In total, 41 new cases had been registered for investigation in February 2023, 317 live complaints were outstanding and 21 cases had been resolved by negotiation without resource to formal action.

Resolved:

To note the update.

5 PLANNING ENFORCEMENT UPDATE REPORT- MARCH 2023

The Committee considered an update on planning enforcement activity in Blackpool between 1 March 2023 and 31 March 2023.

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In total, 44 new cases had been registered for investigation in February 2023, 365 live complaints were outstanding and 10 cases had been resolved by negotiation without resource to formal action.

Resolved:

To note the update.

6 APPLICATION NUMBER 22/0506- FLAGSTAFF GARDENS/OSBORNE ROAD

The Committee discussed planning application 22/0506 for the erection of 19 shipping containers (part single and part two storey) and use of the land as food and drink venue comprising outdoor seating areas, roof terraces and canopy, external glazed balconies to upper floor, a stage and refuse store, with associated landscaping and bollards at Flagstaff Gardens/Osborne Road, Promenade, Blackpool.

Ms S Parker, Head of Development Management, presented the report and provided the Committee with an overview of the application which was a full planning application, constituting main town centre use, for 19 stacked shipping containers and use of the site as an outdoor food and drinks venue with a stage and associated facilities. Ms Parker advised that 10 of the containers would serve food, 5 would be used for storage or staff facilities, one would provide toilets and one would be used as a stage, with 2 containers providing bars.

The Committee's attention was drawn to a submission by the applicant along with the Planning Officer's response to that submission, both of which had been included within the Update Note and a late representation had also been included. Ms Parker considered that all points raised had been suitably addressed through the Update Note.

The Committee was advised that the site was surrounded by major leisure attractions, food and drink venues, with permanent and visitor accommodation to the east of the site. The site housed United Utilities infrastructure on the eastern part of the site and underground along with an Electricity North West has a substation which included a right of way and cable easement.

Ms Parker advised the Committee that the site was open space and designated as green infrastructure under the recently adopted Local Plan Part 2. This site also sat within the setting of the Grade II White Tower. Ms Parker noted that the National Planning Policy Framework and Policy CS6 stated that open space and recreational land should only be built on if an assessment clearly showed that the land was surplus to requirements, that replacement provision could be provided or that alternative sports and recreation provision could be provided in order to outweigh the loss. The 2019 Open Space Assessment had also identified the space as amenity greenspace of fair quality in the Waterloo Ward and wider Inner area and therefore Planning Officers considered that it was not surplus to requirements. A sequential test had been submitted stating that no appropriate sequentially preferable alternative sites were available and this had been accepted by the Planning Officers and Ms Parker advised the Committee that Planning Officers were of the opinion that the proposal would not have a significant adverse impact on the Town Centre, nor would it affect any planned investment at Blackpool Central.

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The Committee was advised of objections and concerns raised by Public Health in respect of the application and Ms Parker reminded the Committee of one of the key Council priorities which was to improve public health, particularly in view of the levels of poor health, low life expectancy and health inequalities in Blackpool. Public Health had objected to the application due to the recognised correlation between poor health, obesity, deprivation and over-concentrations of takeaways and due to the fact that the application was for 10 food units in an area with a high concentration of takeaways. Ms Parker acknowledged the applicant's commitment to serve healthy street food, however, she advised that the Local Planning Authority could not control the type of food sold, deliveries via apps and who the food was sold to by planning condition.

In respect of design, Ms Parker informed the Committee that containers would be situated on the perimeter of the site, would be inward looking and forward of the building line and no active frontages on the Promenade streetscene. The Committee was reminded that shipping containers were utilitarian and industrial in appearance and that this aesthetic was not considered appropriate for open space, nor was it appropriate in the setting of the Grade II listed White Tower. The proposed containers represented an incongruous form of development, would not enhance the appearance of the seafront and would harm the character and quality of that stretch of the Promenade. Although other authorities had approved similar container parks, these had been situated in more industrial or dockland settings on a temporary basis pending appropriate permanent development.

The Committee was advised that in relation to amenity, the noise assessment had not made any reference to the stage, the use of amplified music and noise from sporting events on large LED screens, particularly in view of permanent residential accommodation and visitor accommodation to the east of the site. The assessment had not demonstrated that the venue would operate without an unacceptable impact on residential amenity. As one of the seating areas was located over a wastewater network tank that held stagnant water, United Utilities had requested an Odour Assessment, however Ms Parker advised that this had not been provided as the recommendation was one of refusal.

Servicing of the site remained a concern to the Planning Officers and the Committee was reminded that regular deliveries would be received in an area that was busy with both cars and pedestrians and that the Local Planning Authority could not prevent delivery drivers collecting food orders from the 10 proposed food units. Concerns had also been raised by the Head of Highways in relation to the main entrance to the site and the possibility that this would invite crossing movements away from an existing pelican crossing. In respect of habitat and green infrastructure, some would be lost along the eastern boundary and had the proposal been acceptable then the applicant could have been asked to incorporate green roofs and landscaping on site or via a financial contribution to provision of off-site planting to mitigate this loss.

In summary, Ms Parker advised that although the proposal could deliver some economic benefits and support existing visitor attractions, these benefits were not considered sufficient to outweigh the concerns identified and outlined to the Committee. The scheme was not considered to be sustainable development and the recommendation remained one of refusal for the reasons outlined in the officer report.

Mr Jamie Willacy and Mr Andrew Bradshaw, South Beach Streetfood UK Limited, spoke as the applicants and advised the Committee that it was their intention to develop the site

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as a high quality, ethical and healthy food destination that would cater for dietary provision, allergies and intolerances. Work would be undertaken to ensure that ingredients were locally sourced and partnerships would be developed with local colleges. It was hoped that the development would act as a catalyst to encourage investment in the South Shore area. In relation to the loss of open space, reference was made to previous temporary uses of the site and the Committee was advised that the proposed site was currently an unused eyesore and that the development would provide an economic and aesthetic benefit to the area.

In relation to concerns raised by Public Health, the applicants advised that it was not intended to provide a takeaway service and that the proposal was for a high-quality food venue to improve the food offer in the South Shore area. In respect of other box park venues around the country, the applicants stated that not all of these were in industrial and dockland settings and that the CGI video images provided as part of the Update Note had received positive public feedback and that the containers would be a destination venue that would attract visitors. It was noted that that the CGI video had provided a somewhat unrepresentative view of the size of the stage, that no loud music was intended and the stage could be used to host community and charity events. In respect of concerns regarding odours from the United Utilities tanks on the site, the Committee was advised that the applicants were not aware of any previous issues in relation to odours.

Councillor Derek Robertson BEM spoke in his capacity as Ward Councillor for the Waterloo Ward and stated that he was representing residents who were supportive of the application. The proposal would bring more visitors to the South Shore area and would provide job opportunities for local people. Councillor Robertson advised the Committee that he had been contacted by Councillor Jim Hobson, Councillor for the nearby Bloomfield Ward, who had been unable to speak at the Committee and that he was also supportive of the proposal. Councillor Robertson stated that the South Shore area was in need of investment and that this opportunity should not be passed by. The site was close to public transport and was opposite a large car park which would also bring visitors to the site easily. Councillor Robertson asked the Committee to support the application.

In response to the representations made, Ms Parker advised the Committee that the Local Planning Authority was unable use planning conditions to control the types of food served, portion control, use of local ingredients or ethical practices and that although this could address concerns raised by Public Health, no planning weight could be given to the statements made by the applicants regarding this matter. She advised that appropriation of the land did not change the Local Plan designation which remained as open space and green infrastructure.

The Committee discussed the report and in relation to concerns raised by Public Health, was informed that the applicants intended to keep sole control over food suppliers in order to retain a good quality and standard of food in line with a Mission Statement that had been submitted by the applicant to the Council's Property Department in 2019. The applicants intended to work with the Council's Public Health Team in respect of the Healthy Weight Declaration and intended to work towards a Healthy Choice Award.

The Committee discussed the need to develop the South Shore area with high-quality, welcoming attractions and that the objections raised by the Pleasure Beach in relation to

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competition were not planning considerations. The need to balance development against the need to retain public open space was noted along with concerns regarding noise from events. In respect of site operation during adverse weather, the Committee noted that it was the intention of the applicant to cover half of the site with a stretch tent to remain operational and that some containers would provide welfare facilities for staff during periods of adverse weather. The applicants had indicated that the site would initially be operational for 205 days per year and that, if approved, consideration would be given to extending operational times in line with the extended illuminations season.

Ms Parker reminded the Committee of the concerns raised in relation to visual amenity and impact and also of the concerns raised by Public Health. It was reiterated that the types of food served could not be controlled by planning condition. In addition she noted that a noise assessment had not been submitted in respect of the application. Ms Parker also reminded the Committee that if it was minded to approve the application then planning reasons must be provided and the provision should be made for the negotiation and agreement of conditions.

The Committee noted that it was minded to support the application contrary to the Planning Officer's view for reasons of the economic benefits that the development would bring to the South Shore area, particularly this piece of land, the provision of employment and a differing view to the Planning Officer in respect of the aesthetics of the scheme.

Resolved:

To support the application for the reasons outlined above and to delegate approval to the Head of Development Management following consultation with the Chairman of the Planning Committee.

7 DATE OF NEXT MEETING

The Committee was advised that the date of the next meeting would be confirmed at the Annual Council meeting on 24 May 2023.

Chairman

(The meeting ended at 6.58 pm)

Any queries regarding these minutes, please contact:
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