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MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 13 JUNE 2023

Present:

Councillor Roe (in the Chair)

Councillors

Baker	Farrell	Jackson
P Brookes	Flanagan	Slooman

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 26 APRIL 2023

Resolved:

That the minutes of the last meeting held on 26 April 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 BLACKPOOL DESIGN GUIDE

The Committee considered a report in relation to the Blackpool Design Guide and was asked to approve the use of the design guidance, to be publicised and given to applicants to support the development of planning applications.

Ms S Parker, Head of Development Management, outlined the report and advised that the Design Guide would provide guidance for applicants by bringing together national planning policy and guidance and Local Plan policies in relation to design. The Design Guide would set out what was expected of applicants to raise the quality of design in relation to development proposals in Blackpool.

The Committee discussed the report and was pleased to note that the Design Guide specified that affordable housing should be indistinguishable from market housing.

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Resolved:

1. To approve the Blackpool Design Guide.
2. That the Blackpool Design Guide would be publicised and given to applicants to support the development of planning applications.

5 APPLICATION NUMBER 22/0499 - 6 WHINNEY HEYS ROAD, BLACKPOOL, FY3 8NP

The Committee considered planning application 22/0499 for the erection of one detached dwelling in rear garden, with associated access from Cottesmore Place at 6 Whinney Heys Road, Blackpool.

Ms S Parker, Head of Development Management outlined the report and advised the Committee that the application was a resubmission of a previously withdrawn application. This application proposed a much better split of land between the two properties in relation to the size and position of the house with a reduction in the size of the property and movement to prevent impingement on a United Utilities sewer easement.

The Committee was advised that the National Planning Policy Framework identified garden land as 'previously developed', that the Local Plan did not preclude development in gardens and the proposed dwelling met all minimum standards. The key consideration for the Committee was the impact of the proposal on the character and amenities of the area. Ms Parker noted that no unacceptable impact on privacy, sunlight or daylight was anticipated.

In relation to the dwelling's location, this would be within the rear garden of a property fronting Whinney Heys Road but would also form part of the street scene of Cottesmore Place and this street was characterised by 1970s design properties. The proposed dwelling would not emulate these designs but would include a canopy of the door and window proportions and materials to reflect those of its neighbours.

In relation to the garden and highways matters, Ms Parker confirmed that at least half of the proposed front garden would be given over to planting and that the Head of Highways and Traffic Management had not raised any objections to the scheme. Cottesmore Place was double yellow lined, the property would provide sufficient parking and there were no unacceptable impacts on highway safety arising from the provision of an additional driveway.

The Committee was advised that although some conifer trees had been removed, this had not created any unacceptable impact on the Stanley Park Conservation Area or the nearby Grade II* Listed Shrine and appropriate replacement planting had been secured, which also met the requirements of the Greening Blackpool Supplementary Planning Document. In addition, Ms Parker noted that no issues in relation to environmental quality, sustainability or drainage had been raised by the relevant consultees.

The Committee was asked to grant planning permission subject to the conditions listed in the Officer Report.

Ms B Sunderland spoke as the applicant and advised the Committee that the application had been amended and resubmitted to alleviate previously raised concerns and that the

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design was sympathetic to the surrounding houses. No highways concerns had been raised and the property had been moved in order to avoid a United Utilities sewer easement. Ms Sunderland noted that one of the pictures used was out of date and that the fencing was now brand new.

The Committee discussed the application and noted the amendments that had been made for the resubmission.

Resolved:

To approve the application subject to the conditions set out in the Report.

6 APPLICATION NUMBER 22/0991 - 32-34 VICTORIA STREET, BLACKPOOL, FY1 4RA

The Committee considered application number 22/0991 for the for the use of first and second floors as a service holiday flat following replacement of external windows at 32/34 Victoria Street, Blackpool.

Ms S Parker, Head of Development Management, outlined the report and advised the Committee that the Government was currently consulting on proposals to create a specific use class for holiday accommodation uses which would be Class C5. However, at the moment there was no specific use class for this and therefore the Council considered any such use to be 'sui generis', meaning without classification. Ms Parker provided the Committee with a summary of sui generis in relation to holiday accommodation and advised that serviced holiday accommodation was not used as a home, typically attracted more noisy and boisterous behaviour, and did not make a contribution to the creation of stable and balanced communities, which was particularly significant given Blackpool's significant transience levels. Ms Parker advised that this did not mean that service holiday accommodation use should be resisted, but that some measure of control was required in order to avoid these uses resulting in harm.

The Committee was informed that minimal external alterations to the building were proposed that the proposed replacement window frames in a matt bronze colour were considered to be acceptable, solar panels would be installed on the roof and that a roof terrace had been removed from the scheme in order to minimise noise disturbance. The accommodation met the relevant standards and a noise assessment had been carried out. In addition, Ms Parker informed the Committee that no issues relating to environmental quality, parking or drainage had been identified.

Ms Parker acknowledged the objections made by the Grand Theatre and the Theatres Trust and advised that in relation to movements after shows including heavy goods vehicles, although access to the flat was from the public highway and the vehicles did protrude beyond the gate line, this would not prevent access to the accommodation.

The Committee's attention was drawn to the Update Note which contained corrections and clarifications to a number of conditions and also contained an additional response from the Theatres Trust. Ms Parker explained the concept of 'agents of change' to the Committee whereby when a new land use could be affected by operations of an existing land use then it was not the existing use that should be compromised and that this point was relevant in this case. Both the Grand Theatre and Theatres Trust had raised concerns that apartment guests could raise noise complaints in relation to noise from set

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changeovers which generally took place late at night. A noise assessment had been carried out over a period during which shows were playing at the theatre and noise attenuation measures had been accepted by Environmental Protection. Ms Parker advised that serviced holiday accommodation was not considered to be a sensitive receptor due to its transient nature and that any noise nuisance objection would not be substantiated.

The Committee was reminded that a condition was proposed to limit the use of the proposed apartment to holiday accommodation and that this could be revisited should an application ever be made to use the accommodation on a permanent basis. Ms Parker noted that the proposed use would not harm the setting of the Town Centre Conservation Area or the Grade II Listed Grand Theatre and the Committee was asked to grant planning permission subject to the conditions in the Officer Report and Update Note.

Mr A Knight, representing the Grand Theatre and the Theatres Trust spoke in objection to the application and informed the Committee that the application was of great concern and that the activities of the Theatre were not compatible with serviced holiday accommodation. He advised the Committee of his view that the noise assessment had not been carried out at an appropriate time and as such he considered it to be flawed. Mr Knight stated that changeovers using up to three articulated vehicles could take place throughout the night which could result in noise complaints against the Theatre. He also noted that the apartment would not have any designated parking or drop-off points and stated that he believed there was a moratorium on self-catering holiday accommodation businesses in Blackpool. Mr Knight asked the Committee to either defer the application in order to allow for a further noise assessment to be undertaken or to refuse on the grounds of a failure to demonstrate compatible use with the Grand Theatre.

Mr I White, representing Stay Blackpool, also spoke in objection to the application and expressed concerns about antisocial behaviour and the proposal's target market. He referred to the Blackpool Plan and advised the Committee that in his view the resort core needed a very different, reactive and positive approach to development and accommodation. He asked the Committee to refuse the application.

Mr J Boniface, Agent for the Applicant, spoke in favour of the application and advised the Committee that the applicant was a long established retailer who wished to convert the upper floors of their business into serviced accommodation to bring the whole building back into use. The building was within the Town Centre boundary and therefore the change of use was deemed to be satisfactory, was in line with planning policy CS21 and accorded with planning policy frameworks and policy tests. Mr Boniface acknowledged the objections to the proposal and advised that amendments had been made in relation to removal of a roof terrace and upgraded glazing. The Committee was advised a noise assessment had been carried out and that the applicant would comply with all noise prevention measures. The proposal was for short term serviced holiday accommodation and a management plan had been submitted that satisfied requirements. Mr Boniface asked the Committee to approve the application.

Councillor Mark Smith spoke in his capacity as Councillor for Talbot Ward and reiterated the objections and concerns raised by the Grand Theatre and the Theatres Trust, particularly in relation to antisocial behaviour and noise complaints arising out of the

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Theatre's activities. He advised that the heavy goods vehicles used by the Theatre after shows were in used throughout the night and that this would cause disturbance for any holidaymakers staying in the apartment. He advised the Committee that the Grand Theatre was of the view that the noise assessment had not been carried out at an appropriate time and that the decision should be deferred to allow a further noise assessment to be carried out.

Ms Parker responded to the points made by all speakers and advised that there was no moratorium on self-catering holiday accommodation businesses and that the identity of an applicant could not be taken into account when determining a planning application. She reiterated that the accommodation was not considered to be a sensitive receptor and that any noise complaint made could not be substantiated.

The Committee discussed the application and raised concerns regarding antisocial behaviour, public safety in relation to heavy good vehicles if accessing the accommodation late at night and also fire safety concerns for both holidaymakers and any subsequent impact on the Grand Theatre. The Committee noted that the accommodation would service up to 10 people in a relatively small apartment, although it was acknowledged that minimum space standards had been met.

In response to the Committee's discussions and concerns Ms Parker advised that an additional noise assessment would not produce any amendments to planning conditions or recommendations as the apartment was not considered to be sensitive receptor in relation to noise. In relation to fire safety, the Committee was informed that this was not a material planning consideration and that this was covered under other legislation and building control measures.

Mr I Curtis, Legal Advisor, advised the Committee that the loading and unloading of heavy goods vehicles was governed by health and safety legislation and where an activity was covered by a separate regulatory framework, the planning system should not seek to duplicate that framework.

Ms Parker further advised the Committee that serviced accommodation was now part of the Blackpool tourism market and that there were no residential neighbours in close proximity to be affected by the proposed use.

The Committee acknowledged the objections made by the Grand Theatre, Theatres Trust, Mr White and Councillor M Smith, however noted that there were no planning grounds for refusal of this item.

Resolved:

To approve the application subject to the conditions in the Report and Update Note.

7 LOCAL LISTING OF DROMORE, 137 PRESTON NEW ROAD, BLACKPOOL

The Committee considered a report requesting the formal adoption of Dromore, 137 Preston New Road, Blackpool onto the List of Buildings of Local Architectural and/or Historic Interest. The Committee was also asked to consider the objection received from the householder.

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Mr C Carrington, Head of Planning (Quality and Control), outlined the report and advised the Committee that the property had been nominated online by a local historian for inclusion on the List of Buildings of Local Architectural and/or Historic Interest. The house had been nominated due to its architectural merit as an Arts and Crafts style house and its historic interest as one of the first properties on Preston New Road. The house was also associated with a local businessman of historic significance.

The Chairman, in view of the circumstances, agreed an exception to the Procedure for Public Speaking. Mr R Rawlinson, Surveyor for the Homeowner, therefore spoke in objection to the proposal to list the property. He advised the Committee that the Homeowner was of the view that there was no evidence of the historical significance of the building or that the building had been erected in 1906 or that it was substantially the same property. He noted that the assessment had been carried out online and via a kerbside assessment and that the interior of the property had not been viewed. In relation to the exterior, Mr Rawlinson informed the Committee the property had been fully rendered and that exposed brickwork, which was common in Arts and Crafts properties, was not present. In addition all chimneystacks had been removed, UPVC windows were in situ and the tiles were of a modern construction. Mr Rawlinson also advised that the Homeowner was of the view that there was no evidence of the historic local businessman link and asked the Committee to reject the inclusion on the

Mr Carrington outlined to the Committee that the List of Buildings of Local Architectural and/or Historic Interest.

In response to questions from the Committee, Mr Carrington advised the Committee that the exterior of a property was the main focus for inclusion on a Local List, that property had been considered by a suitably qualified panel and advised them of the reasons for the property's inclusion on the Local List. These reasons included the distinctive design, the historical link, architectural interest and its setting in a conspicuous position. Mr Carrington reminded the Committee that this was not Listed Building status with Historic England and inclusion on the Local List would not remove permitted development rights or place any financial obligations on the Homeowner.

The Committee considered the item and acknowledged Mr Carrington's explanation of the difference between listing by Historic England and a Local List. The Committee noted the importance of preserving buildings of local historical interest and that the Homeowner's permitted development rights would not be removed.

Resolved:

That Dromore, 137 Preston New Road be included on the List of Buildings of Local Architectural and/or Historic Interest.

8 LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND/OR HISTORIC INTEREST 11-19 HILL STREET, BLACKPOOL

In consultation with officers, the Chairman confirmed that this item would be withdrawn from the agenda as this had been considered and approved at the Planning Committee held on 7 March 2023.

9 SOUTH SHORE AREA OF SPECIAL LOCAL CHARACTER

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The Committee considered a report requesting the formal adoption of the South Shore Area of Special Local Character onto the List of Buildings of Local Architectural and/or Historic Interest ('Local List').

Mr C Carrington, Head of Planning (Quality and Control), outlined the report and advised the Committee that the concept of an area-based non-designated heritage asset of an Area of Special Local Character for South Shore had been considered by the Planning Committee on 6 September 2022. Following this meeting a public consultation had been carried out to gauge local support and no objections had been received. Mr Carrington advised the Committee that Local listing would not change any existing permitted development rights for a property but would be considered as a 'material planning consideration' that could be included in the decision making process of any application affecting the property in that area.

The Committee discussed the report and noted that approval of the South Shore Area of Special Local Character would help to ensure between quality developments in that area and would improve the area in the longer term.

Resolved:

To approve the addition of the South Shore Area of Special Local Character being added to the List of Buildings of Local Architectural and/or Historic Interest ('Local List') and to recommend its adoption by the relevant Cabinet member.

10 DATE OF NEXT MEETING

Resolved:

To note the date of the next meeting as 25 July 2023.

Chairman

(The meeting ended at 7.27 pm)

Any queries regarding these minutes, please contact:
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