

**Officer Report to Committee**

<b>Application ref:</b>	23/0430
<b>Ward:</b>	Squires Gate
<b>Application type:</b>	Full
<b>Location:</b>	FLAT 25, COASTAL POINT, 647-651 NEW SOUTH PROMENADE, BLACKPOOL
<b>Proposal:</b>	Conversion of previously approved single flat to 2no. self-contained permanent flats.
<b>Recommendation:</b>	Resolve to support the application and delegate approval to the Head of Development Management subject to the conditions listed at the end of the report and completion of a section 106 legal agreement.
<b>Recommendation Summary:</b>	The sub-division of one existing flat into two is considered acceptable subject to conditions. The proposed development is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment.
<b>Meeting date:</b>	9 April 2024
<b>Reason for bringing to Committee:</b>	The proposal is on the same site as application 23/0426 which is also on this agenda.
<b>Case officer:</b>	Caron Taylor
<b>Case officer contact:</b>	01253 476221

**1.0 SITE DESCRIPTION**

- 1.1 The application site is Coastal Point, a set of flats under construction on the corner of Harrow Place and New South Promenade to the south of the Solaris Centre. Some of the flats are occupied although the building is not yet complete.
- 1.2 The site is within Flood Zone 1 and the Blackpool Airport Safeguarding Zone. The site falls within the setting of the locally listed Solaris centre on the opposite side of Harrow Place. No other relevant constraints have been identified.

**2.0 BACKGROUND AND PROPOSAL**

- 2.1 In July 2018 planning permission was granted for external alterations to include a front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works.
- 2.2 The works commenced and many of the flats created are now occupied, however alterations have been made to the scheme as it has been built from what was approved by the 2018 permission. In addition the applicant wishes to make further changes as they complete the building.

2.3 It should be noted that the following associated applications are also on this committee agenda:

**23/0426** – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works - Application under section 73 to allow the variation of condition 1 attached to planning permission 16/0421 to alter various floor layouts, relocation of gym and entrance position, removal of residents lounge in C Block, relocation of windows and amendments to highway and car parking layouts.

**23/0440** – Use of ground floor as 3 self-contained permanent flats.

### **3.0 RELEVANT PLANNING HISTORY**

3.1 16/0421 (original permission) – External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works – approved

3.2 A non-material amendment was approved in May 2019. This permitted:  
1) 0.8 deep metre extension to balconies on 1st to 5th floor;  
2) 3.1 metre wide extension to Harrow Place elevation celebration corner;  
3) Non-construction of previously approved lifts and walkway in internal courtyard and internal alterations to enable their repositioning to inside of building.

### **4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION**

#### **4.1 National Planning Policy Framework (NPPF)**

4.1.1 The NPPF was adopted in December 2023. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 5 – Delivering a Sufficient Supply of Homes
- Section 8 - Promoting healthy and safe communities
- Section 11 – Making Effective Use of Land
- Section 16 – Conserving and enhancing the historic environment

#### **4.2 National Planning Practice Guidance (NPPG)**

4.2.1 The NPPG expands upon and offers clarity on the points of policy set out in the NPPF.

#### **4.3 Local Plan Part 1: Core Strategy 2012-2027**

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

- CS2 Housing Provision
- CS6 Green Infrastructure
- CS8 Heritage
- CS11 Planning Obligations
- CS13 Housing Mix, Standards, and Density

- CS15 Health and Education

#### **4.4 Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027**

4.4.1 Part 2 was adopted in February 2023. The following policies are considered to be most relevant to this application:

- DM5 Residential Conversions and Sub-Divisions
- DM20 Extensions and Alterations
- DM28 Non-designated heritage assets
- DM41 Transport Requirements for New Development

#### **4.5 Other Relevant documents, guidance and legislation**

4.5.1 DCLG National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council’s New Homes from Old Places SPD guidance.

4.5.2 Blackpool Council declared a Climate Change Emergency in June 2019 and are committed to ensuring that approaches to planning decisions are in line with a shift to zero carbon by 2030.

4.5.3 Blackpool Council adopted the Blackpool Green and Blue Infrastructure (GBI) Strategy in 2019. The GBI Strategy sets out six objectives for Blackpool in terms of green infrastructure:

- Protect and Enhance GBI i.e. protecting the best and enhancing the rest
- Create and Restore GBI i.e. greening the grey and creating new GBI in areas where it is most needed
- Connect and Link GBI i.e. making the links, improving connectivity and accessibility of GBI
- Promote GBI i.e. changing behaviour, promoting the benefits of GBI and encouraging greater uptake of outdoor activity and volunteering.

4.5.4 Greening Blackpool Supplementary Planning Document (SPD) - this document was adopted in May 2022 and sets out the green infrastructure and tree planting requirements for new development.

4.5.5 National Model Design Code (July 2021) provides guidance to promote successful design and expands on the ten characteristics of good design set out in the National Design Guide.

4.5.6 National Design Guide (January 2021) recognises the importance of good design and identifies the ten characteristics that make up good design to achieve high quality places and buildings. The guide articulates that a well-designed place is made up of its character, its contribution to a sense of community and its ability to address the environmental issues affecting climate.

4.5.7 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government’s clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

## **5.0 CONSULTEE RESPONSES**

5.1 **Environmental Protection** - State they have no comments.

5.2 **Local Highway Authority** - State they have no objection.

## **6.0 REPRESENTATIONS**

6.1 Press notice published: N/A

6.2 Site notice published: 30/06/23

6.3 Neighbours notified: 30/06/23

6.4 No representations have been received.

## **7.0 ASSESSMENT**

### **7.1 Principle**

7.1.1 The building already has permission for use as residential flats. The Council's New Homes from Old Places SPD establishes a threshold of 160sqm original floorspace below which subdivision is unacceptable. The existing flat to be subdivided is over this threshold so the proposal is acceptable in principle.

### **7.2 Amenity**

7.2.1 The New Homes from Old Places SPD along with the DCLG National Technical Housing Standards set out standards for new residential accommodation. They give guidance on the size of accommodation that will ensure good quality accommodation is provided based on the number of bedrooms and number of people that could occupy it.

7.2.2 Part 1 Policy CS13: Housing Mix, Density and Standards sets out the house types and sizes, design standards and density required from new developments to provide an appropriate mix of quality homes, which help to rebalance Blackpool's housing supply and support sustainable communities. These include: new flat developments will not be permitted which would further intensify existing over-concentrations of such accommodation and conflict with wider efforts for the comprehensive improvement of the neighbourhood; where flat developments are permitted, at least 70% of flat accommodation should be 2 bedrooms or more; providing quality living accommodation, which meets the relevant standards in place for conversions or new build development.

7.2.3 The two flats created by sub-dividing an existing one will both have two bedrooms so comply with policy. They also both meet the floor space standards used by the Council and so will provide a good level of accommodation.

### **7.3 Visual and heritage impact**

7.3.1 Although an external roof terrace would be created for the additional flat the details and plans for this are covered under the Section 73 application 23/0426 on this agenda. The subdivision of two flats itself would not have any impact on visual amenity or on the setting of the adjacent Solaris Centre a non-designated heritage asset as a locally listed building.

## **7.4 Highways**

7.4.1 Please see report at Agenda Item 7.

7.4.4 Under the Council's parking standards the existing three-bed flat should have two parking spaces. This application if permitted would allow 2 x two bed flats to be created from it, which under the standards would normally require four spaces, two spaces for each flat. As set out in the Umbrella Report accompanying this committee report, the council are accepting one parking space per flat, so the requirement for parking would increase from one space to two spaces. The additional flat therefore generates additional parking demand. The S106 is proposing to secure parking to meet the demand generated from the whole Coastal Point site through the S106. Therefore the S106 seeks to address the demand generated by this proposal and the wider scheme. As per application 23/0426 and 23/0440 on this agenda this application would therefore need to be tied into a new section 106 to secure the necessary contributions to allow the necessary parking to be secured.

7.4.5 A condition is also proposed preventing occupancy of the proposed additional flat prior to the provision of the council's parking scheme being implemented as it will rely on the parking scheme.

7.4.5 The agent contends that the current flat has two parking spaces allocated to it in the rear parking courtyard accessed via the underpass and therefore this application does not generate a greater parking need and should not therefore be tied to the S106 or have a condition restricting occupation until the parking is provided. It may be the case that the current flat has two spaces allocated to it by the applicant, however that was not the intention of the original permission. The Committee report for the original permission for the building (16/0421) clearly states it was approved on the basis of one space per flat, once the scheme was complete. That the applicant has allocated two spaces at the present time to the existing flat cannot therefore be taken into account in the overall parking assessment.

## **7.5 Other Issues**

7.5.1 The site is in Flood Zone 1. However the application is to sub-divide a top floor flat so there will be no impact on floor risk.

## **7.6 Planning Obligations**

7.6.1 Under policies in the development plan there are requirements, where relevant, for new developments to make contributions to infrastructure. These include affordable housing, public open space, trees and health care provision. However, due to the small scale the proposal they are not required from the proposal.

## **7.7 Other Issues**

7.7.1 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).

7.7.2 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.

- 7.7.3 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.

## **7.8 Sustainability and planning balance appraisal**

- 7.8.1 Sustainability comprises economic, environmental and social components.
- 7.8.2 Economically the scheme would have limited impact but the creation of a new residential unit would help to support local shops and services. The scheme would accord with planning policy facilitating the regeneration of this part of the Promenade frontage as part of the larger scheme.
- 7.8.3 Environmentally, the proposal involves no external alterations and therefore environmental quality and biodiversity would not be materially affected.
- 7.8.4 Socially, the scheme would provide good quality accommodation and would not have an unacceptable impact on amenity. No unacceptable impacts on heritage assets would result. The scheme would contribute towards the borough’s housing provision albeit to a negligible extent.
- 7.8.5 In terms of planning balance, the addition of one flat to the Coastal Point scheme (including when considered together with the two flats proposed by application ref: 23/0440) is considered acceptable. The development proposed is therefore considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

## **8.0 FINANCIAL CONSIDERATIONS**

- 8.1 The scheme would generate Council Tax revenue for the Council but this is not a material planning consideration and so no weight should be afforded to it.
- 8.2 The Council would place itself in a degree of financial risk by providing the car parking required to serve the future needs of this development. However, this has been carefully considered by officers and it is considered that the costs of the works could be satisfactorily recouped. As such, the financial risk is considered to be reasonable and manageable.

## **9.0 BLACKPOOL COUNCIL PLAN 2019-2024**

- 9.1 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.
- 9.2 This application would sufficiently support the first of these priorities by allowing growth.

## 10.0 CONCLUSION and RECOMMENDATION

10.1 The development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view. As such, Members are respectfully recommended to resolve to support the proposal and delegate the application for approval by the Head of Development Management subject to the signing of a S106 agreement to secure the parking scheme necessary to make the development acceptable and the following planning 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 following plans:

*Location plan recorded as received by the Council on 17<sup>th</sup> July 2023*

*Fifth Floor Plan-(Proposed) plan ref: A08 Rev 2.*

*South + East Elevation plan ref: A11-Rev 3*

*North Elevation plan ref: A12-Rev 4*

*Proposed West Elevation plan ref: A13-Rev 3*

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

3 (a) The flats hereby approved shall not be occupied until all of the internal and external alterations shown on the approved plans have been carried out in full and in full accordance with the approved details.

(b) The layout of the accommodation shall thereafter be retained as approved unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation provides an adequate standard of residential amenity in accordance with Policies CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies DM5 and DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027, and the Council's New Homes from Old Places Supplementary Planning Document 2011.

4. The accommodation shall be used for permanent residential occupation within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) only and for no other purpose.

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7, CS12 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

5. The privacy screens shall be erected in full conformity (including colour) with the details shown on approved plans:

- North Elevation A12-Rev 4
- West Elevation plan ref: A13-Rev 4
- South + East Elevation plan ref: A11-Rev 5

Any privacy screens already erected shall be altered so they are in accordance with the details on the above approved plans (including colour) within 3 months of this permission.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

6. The roof of the building (other than where roof terraces are shown) shall not be used for any other purpose other than as a means of escape in emergency or for maintenance of the building.

Reason: In order to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM20 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

7. The flat hereby approved shall not be occupied until the parking provision secured through the associated Section 106 agreement has been provided.

Reason: In order to ensure that adequate and accessible parking provision is available to meet the needs of the development in the interests of highway safety, and to encourage travel to and from the site by ultra-low and zero emission vehicles in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.