

Blackpool Council

9 March 2018

To: Councillors Humphreys, Hunter, Jackson, O'Hara, Robertson BEM, Stansfield and L Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 20 March 2018 at 6.00 pm
in Committee Room A, Town Hall, Blackpool FY1 1GB

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

(1) the type of interest concerned either

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE MEETING HELD ON 23 JANUARY 2018 (Pages 1 - 6)

To agree the minutes of the last meeting held on 23 January 2018 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 7 - 32)

The Committee will be requested to note the planning/enforcement appeals lodged and determined.

4 PLANNING ENFORCEMENT UPDATE REPORT- JANUARY 2018 (Pages 33 - 36)

The Committee will be asked to note the outcomes of the cases and support the actions of the Service Manager – Public Protection during January 2018.

5 PLANNING ENFORCEMENT UPDATE REPORT- FEBRUARY 2018 (Pages 37 - 40)

The Committee will be asked to note the outcomes of the cases and support the actions of the Service Manager - Public Protection during February 2018.

6 PLANNING APPLICATIONS AND APPEALS PERFORMANCE (Pages 41 - 44)

To update the Planning Committee of the Council's performance in relation to Government targets.

7 PLANNING APPLICATION 17/0406- 502 DEVONSHIRE ROAD (Pages 45 - 56)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

8 PLANNING APPLICATION 17/0443- 340 WATERLOO ROAD (Pages 57 - 66)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Bernadette Jarvis, Senior Democratic Governance Adviser, Tel: (01253) 477212, e-mail bernadette.jarvis@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Present:

Councillor L Williams (in the Chair)

Councillors

Humphreys	Jackson	Robertson BEM
Hutton	O'Hara	D Scott

In Attendance:

Mr Lennox Beattie, Executive and Regulatory Support Manager

Mr Ian Curtis, Legal Officer

Mr Gary Johnston, Head of Development Management

Mr Latif Patel, Network Planning and Projects Manager

Mr Mark Shaw, Principal Planning Officer

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 19 DECEMBER 2017

The Planning Committee considered the minutes of the last meeting held on 19 December 2017.

Resolved:

That the minutes of the meeting held on 19 December 2017 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee received the report of the Head of Development Management to provide an update on planning and enforcement lodged and determined.

The decision of the Planning Inspectorate to dismiss an appeal by Mr Anthony Brocklebank against the Council's decision to refuse planning permission to extend the existing day nursery to the upper floor and formation of a new vehicular access as summarised in the decision of the Inspector on 14 December was presented to the Committee.

The two recent planning appeals lodged in respect of Planning Application 17/0011: Windmill Service Station and Planning Application 17/0429 Harry Feeney, Vicarage Lane were also reported to the Committee.

Resolved:

To note the report on planning and enforcement appeals lodged and determined.

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee received a report from the Service Manager, Public Protection giving a summary of planning enforcement action during December 2017 with Blackpool.

The report stated that 20 new cases have been registered for investigation, 12 cases had been resolved by negotiation without recourse to formal action and 33 cases were closed. There had also been no enforcement notices, s215 notices or Community Protection Notices served during the period of December 2017.

The report provided for members comparative figures for the same period in 2016.

Resolved:

That the report be noted.

5 PLANNING APPLICATION AND APPEALS PERFORMANCE

The Committee received an update on the Council's performance in relation to determined planning applications and in relation to government guideline targets. The performance statistics were noted and it was considered that it was particularly positive that during period of the report that 100% of both major and minor applications were dealt with within the specified government target time limits.

Resolved:

To note the report.

6 PLANNING APPLICATION 17/0466 - LAND AT WARREN DRIVE, BLACKPOOL

The Planning Committee considered application 17/0466 for the erection of 86 dwellings with associated open space and landscaping and formation of new access to Warren Drive at Land at Warren Drive.

Mr G Johnston, Head of Development Management, introduced the planning application and provided an update to the Committee. He reminded members that the application had been deferred at the last meeting to enable further consultation with United Utilities and the Local Flood Management Authority in response to the recent flooding event. Following the further consultation it remained the case that neither organisation had an objection to the application. He expressed his view as an officer that on balance the application should be approved.

Mr Leary and Mr Kennaugh, local residents, both spoke in objection to the application and highlighted concerns regarding the recent flooding event, concerns as to the capacity for the local roads to deal with the additional car journeys generated and concerns at the removal of open space and any associated impact on wildlife in the area.

Mr Paul Sedgwick, Applicant's agent, accompanied by Mr Phil Wooliscroft, Highways Engineer, spoke in support of the application and explained that the applicant had

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 23 JANUARY 2018

worked with the Council's planning officers to bring a suitable application and felt that this was the case.

The Ward Councillors, Councillors Callow and Mrs Callow from Bispham Ward and Councillors Galley and T Williams of Anchorsholme Ward all spoke in objection to the application. They highlighted concerns regarding the potential for flooding especially given local residents' recent experiences and there would be significant additional pressure on the transport network.

In response to questions from the Committee, Mr Latif Patel from Highways highlighted that while a number of issues had been resolved it remained the Highways department view that the application would still have a significant negative impact on traffic in the area.

The Committee considered carefully all the evidence before it. It considered that there were significant concerns regarding the application. Namely that it would be detrimental to highway and pedestrian safety in that it would generate additional traffic movements on a busy distributor road and in particular it would cause congestion and be detrimental to safe pedestrian movements at the roundabout junction of Warren Drive and North Drive.

The Committee also considered notwithstanding the representations received from United Utilities that the application and notably the introduction of additional hard surfacing would exacerbate the existing problems of flooding in the locality to the detriment of existing local residents.

The Committee also considered that the proposed development would be contrary to paragraphs 14, 17 and 47-52 of the National Planning Policy Framework in that the Council had no need to release the land for housing as it had a five year supply of housing land and the proposed development would be detrimental to wildlife through the loss of an area of natural scrub that is connected to a wider area of open space.

The Committee felt that these concerns would not be mitigated by the imposition of the proposed conditions nor could they be addressed by the imposition of further conditions. It therefore agreed that the application should be refused.

Resolved:

That the application be refused for the reason set out in the Appendix to the minutes.

7 PLANNING APPLICATION 17/0640 - 44-46 QUEENS PROMENADE, BLACKPOOL

The Planning Committee considered application 17/0640 for the single storey side extension to form sports bar at 44-46 Queens Promenade.

Mr Nigel Seddon and Mr Ian White both spoke in objection to the application. They highlighted concerns with noise nuisance and the impact of smoking outside the premises on residents of the neighbouring Elgin Hotel.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 23 JANUARY 2018

Mr Chris Hermolle, Applicant's Agent, spoke in support of the application.

The Committee considered the evidence put before it and concluded that the proposed side extension would have a significantly detrimental impact on the visitor amenities of the adjoining Elgin Hotel and on the character and amenities of the wider area by virtue of its size, design, layout, cumulative width relative to the plot size, close proximity to the common boundary and associated activity, including noise levels, externally in and around the premises late into the evening/ early hours of the morning.

The Committee felt that these concerns would not be mitigated by the imposition of the proposed conditions nor could they be addressed by the imposition of further conditions. It therefore agreed that the application should be refused.

Resolved:

That the application be refused for the reasons set out in Appendix to the minutes.

Chairman

(The meeting ended 8.00 pm)

Any queries regarding these minutes, please contact:
Bernadette Jarvis Senior Democratic Governance Adviser
Tel: (01253) 477212
E-mail: bernadette.jarvis@blackpool.gov.uk



App No: 17/0466 **Decision :** Refuse
Decision Date : 23-Jan-18

Location : LAND AT WARREN DRIVE, BLACKPOOL, FY5 3TG

Proposal : Erection of 86 dwellings with associated open space and landscaping and formation of new access to Warren Drive.

Conditions & Reasons

- 1 The proposal would be detrimental to highway and pedestrian safety in that it would generate additional traffic movements on a busy distributor road and in particular it would cause congestion and be detrimental to safe pedestrian movements at the roundabout junction of Warren Drive and North Drive. As such the proposed development would be contrary to paragraphs 14, 17 and 32 of the National Planning Policy Framework and Policies AS1 and AS2 of the Blackpool Local Plan 2001-2016
- 2 The proposed development is located within an area at risk of flooding and the proposed development through the introduction of additional hard surfacing would exacerbate the existing problems of flooding in the locality to the detriment of existing local residents. As such the proposed development would be contrary to paragraphs 14, 17 and 100-104 of the National Planning Policy Framework and Policy CS9 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027
- 3 The proposed development would be contrary to paragraphs 14, 17 and 47-52 of the National Planning Policy Framework in that the Council has no need to release the land for housing as it has a five year supply of housing land at the present time.
- 4 The proposed development would be detrimental to wildlife through the loss of an area of natural scrub that is connected to a wider area of open space. As such the proposed development would be contrary to paragraphs 14, 17 and 109 of the National Planning Policy Framework, Policy NE7 of the Blackpool Local Plan 2001-2016 and Policy CS6 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027
- 5

ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027 and the Blackpool Local Plan 2001-2016,

App No: 17/0640 **Decision :** Refuse
Decision Date : 23-Jan-18

Location : 44-46 QUEENS PROMENADE, BLACKPOOL, FY2 9RW

Proposal : Erection of single storey side extension to form sports bar.

Conditions & Reasons

- 1 The proposed side extension would have a significantly detrimental impact on the amenities of people staying in the adjoining Elgin Hotel and on the character and amenities of the wider area by virtue of its size, design, layout, cumulative width relative to the plot size, close proximity to the common boundary and associated activity, including noise levels, externally in and around the premises late into the evening/ early hours of the morning. The proposal would therefore be contrary to paragraphs 17 and 123 of the National Planning Policy Framework, Policies LQ14, BH3 and BH4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.
- 2

ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027 and the Blackpool Local Plan 2001-2016,

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Report to:	Planning Committee
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting:	20 March 2018

PLANNING/ENFORCEMENT APPEALS DETERMINED/LODGED

1.0 Purpose of the report:

1.1 The Committee is requested to note the planning and enforcement appeals lodged and determined.

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 To provide the Committee with a summary of planning appeals for information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

3.4 None, the report is for information only.

4.0 Council Priority:

4.1 The relevant Council Priority is 'The Economy: maximising growth and opportunity across Blackpool'

5.0 Planning/Enforcement Appeals lodged

5.1 44-48 QUEENS PROMANDE BLACKPOOL, FY2 9RW (17/0640)

An appeal has been lodged by Mr F Kelly against the refusal of planning permission for the erection of single storey side extension to form sports bar.

Planning/Enforcement Appeals Determined

5.2 29 Cocker Street, Blackpool (17/0034)

An appeal was submitted by Mrs Frances McErlane against the decision of Blackpool Borough Council to refuse to remove condition 2 attached to planning permission ref. 14/0075 which required the internal and external alterations agreed as part of a planning permission to convert the property into a single-family dwelling to be carried out within three years of the date of permission. The internal alterations involved the creation of layout consistent with single-family use and the external alterations principally required the removal of a single-storey extension to the rear and the removal of a box sun-lounge to the front of the property. **APPEAL ALLOWED**

The main issue was judged to be whether or not the condition was necessary and reasonable with regard to the character and appearance of the area and the amenity of the occupants.

The Inspector recognised that the New Homes from Old Places Supplementary Planning Document sought the removal of street-facing sun-lounges but nevertheless found compliance with this guidance. She noted other sun-lounges in the vicinity and judged that the removal of the sun-lounge on the appeal property would have little impact upon the character and appearance of the area. She also felt that the creation of a mid-terrace sun-lounge flank would be harmful both visually and to occupant outlook.

The Inspector noted that the rear extension is used for the storage of a wheelchair and identified a personal benefit to its retention. She concluded that the available amenity space was sufficient to meet the needs of the dwelling.

In her decision, the Inspector acknowledged that the requirement to retain the agreed layout was to ensure availability of family accommodation but noted that planning permission would be required to change the use of the property to a House in Multiple Occupation.

As such, and in light of the above, the condition was judged to be unnecessary in relation to Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and saved Policies HN5, LQ1, LQ14 and BH3 of the Blackpool Local Plan 2001-2016.

A copy of the Inspector's decision dated 11 January 2018 is attached as Appendix 3a.

5.3 336 Queens Promenade, Blackpool (16/0349)

An appeal was submitted by Mr. Martin Watkins against the decision of Blackpool Borough Council to refuse planning permission for external alterations including a roof-lift to the rear out-rigger and the erection of a rear dormer and the use of part of the second floor and the third floor as a self-contained permanent flat in addition to the existing five flats at lower floor level. **APPEAL DISMISSED**

The Inspector judged the main issues to be:

- Whether the flat would provide suitable living conditions;
- The amenity impact on neighbours in terms of outlook, privacy, sunlight and daylight;
- The effect of the proposed dormer on the character and appearance of the area.

The Inspector considered the New Homes from Old Places Supplementary Planning Document to be consistent with the NPPF and afforded its general principles considerable weight. Some disagreement between the parties over exact space standards was noted but overall it was determined that the flat would fall short of minimum space standards and that this would be unacceptably harmful. The inclusion of space behind a door in the room size, the lounge's reliance on a kitchen window for outlook, and the outlook from the outrigger windows was accepted by the Inspector.

Given the proximity to the neighbouring outrigger at 3.9m, the Inspector judged that the proposed accommodation would introduce the potential for over-looking to the harm of the privacy of neighbours. The roof-lift to the outrigger was also judged likely to create a canyon effect that would have had a harmful impact on light levels to the neighbour.

The Inspector noted that the rear dormer would occupy some 65% of the rear roof plane, significantly exceeding the Extending Your Home Supplementary Planning Document allowance which was judged to be relevant. He found that it would have appeared as a jarring and incongruous feature in the roofscape. This would have been exacerbated by the lack of window alignment and the loss of distinction between the main body of the building and the outrigger.

As such, and in light of the above, the application was judged to be contrary to the provisions of Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, saved Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016, the National Space Standards and the Extending Your Home Supplementary Planning Document.

A copy of the Inspector's decision dated 09 January 2018 is attached as Appendix 3b.

5.4 4 Bloomfield Road, Blackpool FY1 6DH (17/0216)

The appeal was made by Dar-Pol against the decision of Blackpool Council to refuse planning permission for the erection of roof lift to form second floor, and use of second floor premises as altered as a self-contained permanent flat with integral roof garden and balcony to front elevation. **APPEAL DISMISSED**

Main Issues

- (i) The effect of the development on the living conditions of neighbouring occupiers, with regard to outlook and light;
- (ii) Whether the proposal would be an appropriate form of development in the defined Inner Area of the town.

The Inspector concluded that the development would have an adverse effect on the living conditions of the occupiers of No 1 John Street, due to loss of daylight and sunlight, and The Old Warehouse, due to loss of light and outlook. Consequently, the development would not accord with Policies LQ14 and BH3 of the Blackpool Local Plan 2001-2016 (adopted June 2006) and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (adopted January 2016) which, amongst other things, seek to protect residential amenity. The development would not meet the aims of the National Planning Policy Framework in so far as it seeks to promote good design and secure a good standard of amenity for all existing and future occupants of land and buildings.

Policy HN5 of the Local Plan seeks to resist extensions for residential sub-divisions within the defined Inner Area of the town. The aim of the policy is to prevent proposals for conversion or sub-division for residential use which would further intensify existing over-concentrations of flat accommodation and conflict with wider efforts for neighbourhood improvement as a balanced and healthy community. On the basis of the evidence before me, it has not been demonstrated that development would contribute to a housing imbalance, contrary to Policy HN5 of the Local Plan.

A copy of the Inspector's decision dated 2 February 2018 is attached as Appendix 3c.

5.5 Harry Feeney, 251 Vicarage Lane, Blackpool FY4 4XL (17/0429)

The appeal is made by Mr Harrison against the decision of Blackpool Council to refuse advertisement consent for the installation of an internally illuminated, free standing forecourt sign. **APPEAL DISMISSED**

Main Issues

The main issues are the effect on amenity, including the character and appearance of the area, and on public safety.

The Inspector concluded that the advertisements have a harmful effect on amenity due to their detrimental impact upon the character and appearance of the area. The proposal, therefore, conflicts with Policy LQ13 of the LP, Policy CS7 of the Core Strategy and the National Planning Policy Framework in that respect.

In terms of public safety the advertisements do not harmfully distract the attention of drivers and pedestrians taking the appropriate level of care as they travel along Vicarage Lane. I, therefore, consider that the advertisement unit does not harm public safety.

A copy of the Inspector's decision dated 31 January 2018 is attached as Appendix 3d

5.6 30 Douglas Avenue, Blackpool. (17/0444)

An appeal was submitted By Mr A Gill against the decision of Blackpool Council to refuse a Prior Approval application for the erection of a single storey rear extension. **APPEAL ALLOWED**

The main issue is whether the proposed development would constitute permitted development under Schedule 2, Part 1, Class A of the GPDO, with particular regard to

whether the application included sufficient information, and if so, whether prior approval is required.

He concluded that the proposed development constitutes permitted development and prior approval is not required as paragraph A.4(7) is not engaged. The proposal satisfies the conditions, limitations and restrictions set out in Schedule 2, Part 1, Class A of the GPDO relevant to it.

A copy of the Inspector's decision dated 2 February 2018 is attached as Appendix 3e.

5.7 Does the information submitted include any exempt information? No

5.8 List of appendices

Appendix 3a: Appeal Decision 29 Cocker Street (reference 17/0034)

Appendix 3b: Appeal Decision 336 Queens Promenade (reference 16/0349)

Appendix 3c: Appeal Decision 4 Bloomfield Road (reference 17/0216)

Appendix 3d: Appeal Decision 251 Vicarage Lane (reference 17/0429)

Appendix 3e: Appeal 30 Douglas Avenue (reference 17/0744)

6.0 Legal considerations:

6.1 None.

7.0 Human Resources considerations:

7.1 None.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 None.

13.0 Background papers:

13.1 None



Appeal Decision

Site visit made on 5 December 2017

by **Katie McDonald MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 January 2018

Appeal Ref: APP/J2373/W/17/3179445

29 Cocker Street, Blackpool, Lancs FY1 2BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs Frances McErlane against the decision of Blackpool Council.
 - The application Ref 17/0034, dated 18 January 2017, was refused by notice dated 7 April 2017.
 - The application sought planning permission for external alterations and use of premises as altered as a single private dwellinghouse without complying with a condition attached to planning permission Ref 14/0075, dated 27 March 2014.
 - The condition in dispute is No 2 which states that: *Notwithstanding condition 1 of this permission, the internal and external alterations shown on the approved plan shall be carried out within 3 years of the date of this approval and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.*
 - The reason given for the condition is: *In order to ensure that the accommodation accords with the Council's approved Supplementary Planning Document and to improve the external appearance of the property in accordance with Policies LQ1, LQ14, BH3 and HN5 of the Blackpool Local Plan 2001-2016.*
-

Decision

1. The appeal is allowed and planning permission is granted for external alterations and use of premises as altered as a single private dwellinghouse at 29 Cocker Street, Blackpool, Lancs FY1 2BZ in accordance with the application Ref 17/0034 dated 18 January 2017, without compliance with condition number 2 previously imposed on planning permission Ref 14/0075 dated 27 March 2014 and subject to the following conditions set out in the attached Schedule.

Background and Main Issues

2. Planning permission was granted under permission ref 14/0075 to change the use of the property from a house in multiple occupation (HMO) to a dwelling. The property has a single storey flat roof front extension and a single storey rear extension, which were proposed to be removed, along with re-instatement of the bay window to the front and internal alterations. The internal works were carried out to the property and it is now occupied by the appellant and her family. Condition 2 of this consent required that the internal and external alterations were carried out within 3 years.
3. Accordingly, the main issue is whether the condition is necessary and reasonable having regard to the character and appearance of the area; and the living conditions of the occupants, with regard to external amenity space.

Reasons

4. I acknowledge the intentions of the guidance contained in the New Homes from Old Places Residential Conversion and Sub-Division Supplementary Planning Document (March 2011) (SPD), that seeks to remove street-facing sun lounges in the conversions of properties to permanent residential use. In this instance, the approved plans follow this guidance.
5. However, the adjacent properties in the terrace row also feature the similar attached sun lounge, having a complete frontage and roof between the 3 dwellings. In the context of the street scene, removing the sun lounge from the host dwelling would have little effect upon the character and appearance of the area because the adjacent sun lounges would remain. Moreover, should the sun lounge be removed, it would create a prominent flank wall set in the middle of a terrace row, as opposed to the existing which continues the side gable wall forward. This could have a greater effect upon the street scene and affect the outlook of the host dwelling.
6. Therefore, I do not find that the removal of the sun lounge and the re-instatement of the bay window would be necessary in order to make this development acceptable.
7. I recognise that the removal of the rear extension would create additional external amenity space for the purposes of a family dwelling. However, I saw on my site visit that there was an existing rear yard that provided amenity space, alongside the rear first floor terrace area. Additionally the rear extension is used to store the appellant's daughter's wheel chair, which I saw benefits from level access to the rear and some weight can be given to the personal circumstances in this context. Therefore, to my mind, I am satisfied that there is sufficient amenity space to suit the needs of this family dwelling without the removal of the extension.
8. I have noted the Council's concerns relating to deprivation in the borough and the need to retain family accommodation in the area in the interests of social cohesion. The property provides 5 reasonably sized bedrooms and I note that the permission is subject to a condition restricting permitted development rights under Part 3 Class L, which precludes the use of the property as a HMO. Use of the property other than as a family dwelling house would therefore require permission and a further condition, effectively restricting the internal layout of the property to achieve this aim is unnecessary. Therefore, the removal of the condition would not compromise the Council's objectives in this regard.
9. Consequently, I find that the condition is not necessary and the proposal would be in compliance with the development plan, specifically Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) (January 2016), which seeks to ensure that new development is well designed and enhances the character and appearance of the local area; and Policies HN5, LQ1, LQ14 and BH3 of the Blackpool Local Plan 2001/2016 (June 2006), which seek well designed and high quality sub-divisions that will make a positive contribution to the quality of the surrounding environment and would not adversely affect the amenity of occupiers. I also find compliance with the SPD on the whole, which seeks high quality conversions.

Conditions

10. The guidance in the PPG makes clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. As I have no information before me about the status of the other conditions imposed on the original planning permission, I shall impose all those that I consider remain relevant. In the event that some have in fact been discharged, that is a matter which can be addressed by the parties.
11. As the development has commenced, a condition limiting the time for commencement is unnecessary because the development has already begun.
12. Notwithstanding the above, for accuracy I have updated the legislation reference in condition 1. I have also removed '*development*' and inserted '*external works*' into condition 2 as this condition refers to the materials used in the external works and not to the whole development which included the implemented change of use.
13. I have also removed the condition that related to materials for the bay window as this essentially repeats the requirements of condition 2 and is unnecessary.

Conclusion

14. Therefore, for the reasons given above, I allow the appeal.

Katie McDonald

INSPECTOR

Schedule of Conditions

- 1) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no change of use permitted by Article 3, Schedule 2, Part 3, Class L shall take place without the written approval of the Local Planning Authority.
- 2) Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the external works being commenced.
- 3) No refuse or bins shall be stored forward of the front building line of the property other than on the day of presentation for collection.

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Appeal Decision

Site visit made on 12 December 2017

by Mike Worden BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 January 2018

Appeal Ref: APP/J2373/W/17/3180571
336 Queens Promenade, Blackpool FY2 9AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Martin Watkins against the decision of Blackpool Borough Council.
 - The application Ref 16/0349, dated 10 June 2016, was refused by notice dated 15 February 2017.
 - The development proposed is conversion of roof space and roof lift.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would provide suitable living conditions for future occupants;
 - the effect of the proposed development on the living conditions of 334 Queens Promenade with particular regard to outlook, privacy, sunlight and daylight; and,
 - the effect of the proposed dormer extension on the character and appearance of the area

Reasons

Living conditions of future occupants

3. The appeal property is a former seafront hotel within a terraced row of similar properties on Queens Promenade. The properties have outriggers to the rear. The appeal property is comprised of two storeys with further accommodation in the roof of the main part of the property. The outrigger to the rear of the appeal property is semi-detached with the adjacent property 338 Queens Parade. A similar outrigger extends to the rear of 334 and 332 Queens Parade, a property which has been converted in to flats.
4. The appeal property has been converted from its former hotel use and now comprises five self-contained flats. The proposed development would create additional accommodation through the addition of a new dormer on the rear roof slope of the main part of the property and raising the roof on the appeal

- property part of the outrigger. This would create a two bedroomed apartment over two floors and would comprise one double and one single bedroom.
5. Policy CS13 of the *Blackpool Local Plan part 1 - Core Strategy* (the Core Strategy) sets out requirements for the mix, density and standards relating to new housing. This includes the need to provide quality living accommodation, and reference is made in the supporting text to the *Technical housing standards - nationally described space standard* (the NDSS). This accords with the written ministerial statement of 25 March 2015 which requires the standards to be referred to in an adopted plan if they are to apply.
 6. The Council adopted a supplementary planning document, *New Homes from Old Places* (the NHOPSPD) prior to the publication of the NDSS. The NHOPSPD was prepared with a specific objective of providing guidance on proposals to convert and sub-divide former hotels and guest houses and is referenced in Policy CS13. Although pre-dating the publication of the NDSS and the National Planning Policy Framework (the Framework), its general principles relate to CS13 and are consistent with the Framework in seeking to improve the quality of new housing and adopting local standards. I have therefore afforded it considerable weight in terms of general principles, but not the specific space standards contained within it as these have been superseded by those in the NDSS.
 7. There is not agreement between the parties on the size of the proposed additional accommodation. The appellant considers it to be 69 sqm whilst the Council considers it to be 64.5 sqm having used specialist software and the submitted drawings. However, both figures are below the minimum size for a two bedroomed, three person dwelling of two storeys, of 70 sqm set out in the NDSS.
 8. The NDSS requires a double bedroom to have a floor area of at least 11.5 sqm. The proposed double bedroom would be 10.6 sqm although if the area behind the door was to be included the requirement would be met. The single bedroom meets the minimum NDSS requirements. Both bedrooms meet the width requirements set out in the NDSS. I consider that the sizes of both bedrooms are consistent with the requirements of the NDSS.
 9. The proposed kitchen area would have a window facing out to the rear but the lounge area of the proposed development would not be served by any windows, only rooflights. On balance I consider this would not be harmful to outlook given the presence of the kitchen window and the size of the proposed accommodation.
 10. The outlook from the bedroom windows of the proposed development would be towards the roofslope of the neighbouring property. However, I do not consider this to be unduly harmful to the living conditions of the future occupants. I also consider that the existing and proposed staircase provision, would not be contrary to any planning policy or standard before me, and would therefore I consider that it would not be harmful to the living conditions of the future occupants
 11. Overall for the reasons set out above, I consider that there would be harm to the living conditions of future occupants as a result of the overall floorspace requirements not being met when considered against the NDSS, contrary to Policy CS13 of the Core Strategy.

12. I have not found conflict with the NHOPSPD as the specific space standards in that document have been superseded by those in the NDSS.

Living conditions of the occupants of 334 Queens Promenade

13. The proposed development would have three windows on the elevation facing the outrigger at 334 Queens Promenade. One of the windows would serve a bathroom and would be obscured glazed, the other two would serve bedrooms. The distance between these windows and the existing windows on the neighbouring outrigger would be 3.9m. These windows serve habitable rooms at 334 Queens Promenade. Although the proposed windows are at a higher level than those on the neighbouring property, they would nevertheless introduce the potential for overlooking at close quarters, thereby causing harm to the privacy of the occupants.
14. The proposed development would raise the height of the existing outrigger. Although this is on the northern side of the neighbouring property and may not have a detrimental impact on sunlight, it would create a significant canyon type effect and would have a harmful impact on the level of daylight into the existing habitable room windows at 334 Queens Promenade.
15. I therefore conclude that the proposed development would be unduly harmful to living conditions of the occupants of 334 Queens Promenade with regard to overlooking, daylight and privacy, contrary to Policy CS7 of the Core Strategy which seeks well designed development which should, amongst other things, ensure that the amenities of nearby residents are not adversely affected.

Character and appearance

16. The proposed dormer would sit below the ridge line of the main part of the property but would be a significantly large extension, occupying around 65% of the rear slope of the roof. The Council's supplementary planning document *Extending Your Home* (the EYHSPD) expects rear dormer extensions to not occupy more than 35% of the relevant roof slope. Although the EYHSPD relates to residential properties and the appeal property is a former hotel, I consider it has relevance as a design guide and have therefore placed considerable weight upon it.
17. The part of the block immediately to the north of the appeal property has a group of dormers on its rear roof slope but they are small relative to the size of the roof slope. The roof of that part of the block is higher than the appeal property but the dormers are significantly less intrusive than the proposed dormer would be. The proposed dormer would be flat roofed and would by virtue of its size and form, appear as a jarring and incongruous feature in the roofscape.
18. This sense of jarring would be heightened by the proposed kitchen window not being aligned to the position of the existing windows on the appeal property. It would also break up the clear distinction between the two parts of the block as they currently exist. The subordinate dormers of the higher part of the block to the north do not detract from this appearance as they are subservient but the introduction of the proposed dormer on the southern and lower part of the block would appear over dominant in the roofscape. The appearance and character of the rear roofslope therefore would be eroded.

19. I therefore conclude, for the reasons above, that the proposed dormer would be significantly harmful to the character and appearance of the area, contrary to Policy CS7 of the Core Strategy which seeks to achieve well designed development which would enhance the character and appearance of the local area. It would also be contrary to saved Policy LQ1 of the *Blackpool Local Plan* (the Local Plan) which expects development to have a high standard of design and contribute positively to the quality of the surrounding environment, and saved policy LQ14 of the Local Plan which sets out criteria for the consideration of proposals for extensions and alterations including roof extensions.
20. The proposed development would also be contrary to the provisions of the EYHSPD.

Conclusion

21. I have found the proposed development would not provide suitable living conditions for future occupants in that the overall accommodation would fall below the space standard set out in the NDSS. The size of the accommodation floorspace is disputed between the parties, although both calculations are below the NDSS. However, even if I had found that the proposed development would provide suitable living conditions for future occupants it would still be unduly harmful to the living conditions of the occupants of 334 Queens Promenade with regard to overlooking, privacy and daylight, and the proposed dormer roof extension would be significantly harmful to the character and appearance of the area. This harm is not outweighed by the benefits of the provision of an additional residential unit.
22. For the above reasons, and having considered all matters raised, I conclude that the appeal should be dismissed.

Mike Worden

INSPECTOR

Appeal Decision

Site visit made on 23 January 2018

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2018

Appeal Ref: APP/J2373/W/17/3187814
4 Bloomfield Road, Blackpool FY1 6DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Dar-Pol against the decision of Blackpool Borough Council.
 - The application Ref 17/0216, dated 22 March 2017, was refused by notice dated 19 May 2017.
 - The development proposed is described on the appeal form as "erection of roof lift to form second floor, and use of second floor premises as altered as a self-contained permanent flat with integral roof garden and balcony to front elevation".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) The effect of the development on the living conditions of neighbouring occupiers, with regard to outlook and light;
 - (ii) Whether the proposal would be an appropriate form of development in the defined Inner Area of the town.

Reasons

Living Conditions

3. The appeal property is a detached two-storey building, comprising commercial uses and residential accommodation. The surrounding area is mixed in character, with other residential and commercial premises in the vicinity.
4. The building is close to houses and flats to the east, at Nos 1 and 3 John Street. These properties have facing windows to main habitable rooms at ground and first floor level. At the rear there is residential accommodation in The Old Warehouse, which contains windows to main habitable rooms over two levels in relatively close proximity to the rear of the appeal building.
5. The development would create a further storey through replacing the pitched roof with a flat roof. This would involve building up the walls on all sides, resulting in a rectangular roof form, although the maximum roof height would not be increased.

6. The development would form a blank wall at the rear, extending to the second floor. The resulting wall would be a dominant feature that would be directly in front of the windows on the facing elevations of The Old Warehouse, and in close proximity. I appreciate that this relationship exists at present, but the increase in the height of the eaves would lead to a greater impact. As such, the development would adversely affect the outlook from the main habitable rooms of the neighbouring property. Furthermore, it is highly likely that there would be a material loss of daylight and sunlight to those rooms as the existing pitched roof would allow more light to penetrate.
7. The increase in height of the side wall facing No 1 John Street would lead to a reduction in the levels of daylight to the ground and first floor windows of that property. Also, it is likely that levels of sunlight would be adversely affected as the appeal property lies directly to the west. No 3 John Street is positioned at an oblique angle from the appeal property and, consequently, the impact of the development would be less severe, in terms of loss of light.
8. The effect on the outlook from the first floor windows of Nos 1 and 3 John Street would be mitigated by the intervening road, which is wider than the alley between the appeal property and The Old Warehouse. Also, the outlook from No 3 would not be affected as the first floor windows would not be directly facing the development. However, this does not overcome my other concerns as set out above.
9. I appreciate that there is other similar development in the area, but the concern in this instance centres on the relationship between the appeal property and the surrounding development, which is a unique situation. I also looked at the development on the corner of Moon Avenue, but the site-specific circumstances in that case differ significantly from the appeal before me and it is not comparable.
10. I conclude on this issue that the development would have an adverse effect on the living conditions of the occupiers of No 1 John Street, due to loss of daylight and sunlight, and The Old Warehouse, due to loss of light and outlook. Consequently, the development would not accord with Policies LQ14 and BH3 of the Blackpool Local Plan 2001-2016 (adopted June 2006) and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (adopted January 2016) which, amongst other things, seek to protect residential amenity. The development would not meet the aims of the National Planning Policy Framework (the Framework) insofar as it seeks to promote good design and secure a good standard of amenity for all existing and future occupants of land and buildings.

Defined Inner Area

11. Policy HN5 of the Local Plan seeks to resist extensions for residential sub-divisions within the defined Inner Area of the town. The aim of the policy is to prevent proposals for conversion or sub-division for residential use which would further intensify existing over-concentrations of flat accommodation and conflict with wider efforts for neighbourhood improvement as a balanced and healthy community.
12. The Council is concerned that the development would contribute to a housing imbalance within the inner area of Blackpool. However, there is very limited evidence to support this assertion. I have no information about the existing

concentration of flats in the area or any examples of how the proposal would conflict with efforts for neighbourhood improvement. Although the development would add to the number of flats in the area, it would be of an adequate size and would contain three bedrooms, with an area of rooftop amenity space. There is no dispute over the standard of the residential accommodation proposed.

13. Consequently, on the basis of the evidence before me, it has not been demonstrated that development would contribute to a housing imbalance, contrary to Policy HN5 of the Local Plan.

Conclusion

14. The development would make a very small contribution to the local housing supply, but this would not outweigh the harm identified above in respect of living conditions.
15. For the reasons given above, the appeal is dismissed.

Debbie Moore

Inspector

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Appeal Decision

Site visit made on 22 January 2018

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2018

Appeal Ref: APP/J2373/Z/17/3188066

Harry Feeny, 251 Vicarage Lane, Blackpool FY4 4XL

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Harrison against the decision of Blackpool Borough Council.
 - The application Ref 17/0429, dated 20 June 2017, was refused by notice dated 6 September 2017.
 - The advertisement proposed is installation of a mobile, free standing point-of-sale unit.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal submission included revised plans that had been submitted to the Council after it made its decision. The revised plans would materially alter the siting of the proposal and interested parties have not had the opportunity to comment as part of the application subject to this appeal. I, therefore, necessarily determine this appeal on the basis of the plans submitted as part of the application and upon which the Council made its decision, which reflects the siting of the mobile, free standing advertising unit that was in place at the time of my visit.
3. The Regulations, the National Planning Policy Framework (the Framework) and Planning Practice Guidance (PPG) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Council has drawn my attention to Saved Policy LQ13 of the Blackpool Local Plan 2001-2016 (LP), adopted June 2006, and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (CS), adopted January 2016, which it considers to be relevant to the appeal. I have taken the policies into account as material considerations, in so far as they relate to amenity and public safety.

Main Issues

4. The main issues are the effect on amenity, including the character and appearance of the area, and on public safety.

Reasons

5. The appeal site consists of the forecourt of a car dealership that adjoins a section of Vicarage Lane that includes other commercial properties to the north and residential properties immediately to the south. The site has existing signs

located on the façade of the main building which is set back from the road, together with a free-standing totem sign close to the site frontage and its access onto Vicarage Lane. A number of flag signs and a smaller freestanding sign are also located close to the site frontage.

6. The free standing mobile unit has static internal illumination and is double sided with advertisement panels facing in both directions along Vicarage Lane. The advertisements are located approximately 2m above ground level and consist of approximate dimensions of 2.4m height by 3.4 width.
7. A variety of existing signs are located within neighbouring sites and on buildings to both sides of Vicarage Lane, including fascia signs, freestanding signs and totems signs that are visible near to the proposal. However, the advertisements within the mobile unit are significantly bulkier than those immediately surrounding and draw the eye from many vantage points along Vicarage Lane. From those perspectives, the advertisements are dominant features of the street scene that appear out of scale and incongruous relative to surrounding signs close to the road edge. Furthermore, when viewed in cumulative with the nearby signs closest to the road edge and those opposite, the proposal also contributes to visual clutter. The harmful presence of the advertisements would be emphasised when illuminated during periods of darkness, particularly as freestanding signs that are closest to the road edge on the opposite side of Vicarage Lane are non-illuminated. Consequently, the proposed advertisements within the mobile unit as currently sited are dominant and visually intrusive features that harm the visual amenity of the area.
8. The appellant has drawn to my attention that mobile point of sale advertisement units of the type proposed are a common feature of other car dealerships elsewhere in the country. Whilst that may be the case, based upon the evidence before me, I cannot be certain that signs located elsewhere replicate the particular circumstances of the proposal before me. I have, therefore, necessarily considered the appeal proposal on its own merits.
9. Turning to the matter of public safety, Policy LQ13 of the LP indicates that advertisements which would hinder traffic or pedestrians will not be permitted. In that respect, the PPG¹ sets out advertisement considerations affecting public safety on roads, together with the location and main types of advertisement which may cause danger to road users. The advertisements are located close to the road edge of Vicarage Lane, beyond a speed camera and the junction of the site access, and prior to a mini-roundabout when travelling on the nearside carriageway. When taking into account that the mobile unit also consists of static internal illumination, those circumstances reflect a location identified in the PPG as more likely to affect public safety.
10. Notwithstanding the above, the mobile advertisement unit is on a site within a commercial locality, relates to the business and is not on a skyline. Those are circumstances where the PPG indicates that there are less likely to be road safety problems. In addition, the advertisements do not obstruct or impair existing sightlines at the site entrance or traffic signs, signals or the speed camera given its position within the forecourt which is separated from the pedestrian footway by a landscaped verge and railings. Furthermore, the advertisements do not involve moving elements and there are various other

¹ Advertisements - Paragraph: 067 Reference ID: 18b-067-20140306 (Revision date 06 03 2014) & Advertisements - Paragraph: 068 Reference ID: 18b-068-20140306 (Revision date 06 03 2014)

advertisements visible to drivers and pedestrians close to the road edge, junction, speed camera and nearer to the mini-roundabout. In such circumstances, the advertisements do not harmfully distract the attention of drivers and pedestrians taking the appropriate level of care as they travel along Vicarage Lane. I, therefore, consider that the mobile advertisement unit does not harm public safety. However, the absence of concern in that respect does not override the harm identified in terms of visual amenity.

11. I conclude that the advertisements within the mobile unit have a harmful effect on amenity due to their detrimental impact upon the character and appearance of the area. The proposal, therefore, conflicts with Policy LQ13 of the LP, Policy CS7 of the CS and the Framework in that respect.

Other Matters

12. I have taken into account that the proposed advertisements would have commercial and economic benefits for the appellant's business. However, those benefits do not outweigh the identified harm.
13. The appellant has expressed concern with respect to the Council's approach when dealing with the application and prior to the appeal. However, such concerns are not influential factors upon the outcome of this appeal as the proposal is necessarily assessed on the basis of its effect upon amenity and public safety.

Conclusion

14. For the above reasons, I conclude that the appeal should be dismissed.

Gareth Wildgoose

INSPECTOR

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Appeal Decision

Site visit made on 22 January 2018

by **Gareth Wildgoose BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 February 2018

Appeal Ref: APP/J2373/W/17/3187552

30 Douglas Avenue, Blackpool FY3 7AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
 - The appeal is made by Mr Andrew Gill against the decision of Blackpool Borough Council.
 - The application Ref 17/0444, dated 24 June 2017, was refused by notice dated 3 August 2017.
 - The development proposed is erection of a single storey rear extension.
-

Decision

1. The appeal is allowed and prior approval is not required under the provisions of Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) for erection of a single storey rear extension at 30 Douglas Avenue, Blackpool FY3 7AL in accordance with the details submitted pursuant to Schedule 2, Part 1, Paragraph A.4(2) of the GPDO.

Application for costs

2. An application for costs was made by Mr Andrew Gill against Blackpool Borough Council. This application is the subject of a separate Decision.

Procedural Matters and Main Issue

3. The application submitted by the appellant was made to determine whether prior approval was required for a single storey rear extension under Schedule 2, Part 1, Class A of the GPDO. The Council utilised the powers under paragraph A.4(3) (b) to refuse the application, as it considered that the developer provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g). Paragraph A.4(4) states that sub-paragraphs (5) to (7) and (9) do not apply where a local planning authority refuses an application under sub-paragraph (3).
4. Having regard to the above, the main issue is whether the proposed development would constitute permitted development under Schedule 2, Part 1, Class A of the GPDO, with particular regard to whether the application included sufficient information, and if so, whether prior approval is required.

Reasons

5. The appeal property is a semi-detached dwelling with no existing rear extensions in an established residential area. The proposal seeks to erect a single storey rear extension. The application forms indicate that the proposal would extend beyond the rear wall of the original dwelling house by 5m, with a maximum height of 4m and a maximum eaves height of 3m. There is no evidence before me that the site consists of article 2(3) land or that permitted development rights in the GPDO have been removed.
6. Proposals for single storey rear extensions of up to 6m beyond the rear wall of semi-detached dwellinghouses, such as the appeal property, constitute permitted development provided that they satisfy the conditions, limitations or restrictions set out in Schedule 2, Part 1, Class A of the GPDO. Paragraph A.4 sets out the conditions that must be met for extensions which exceed the thresholds of paragraph A.1(f) but fall within those in paragraph A.1(g), which applies to the proposal before me. In that regard, the procedure as set out at paragraph A.4(2) indicates that before beginning the development the following details should be provided to the local planning authority: a written description of the proposed development; a plan indicating the site and showing the proposed development; the addresses of any adjoining premises, and the developer's contact address.
7. Based upon the evidence before me, the appellant complied with the requirements of paragraph A.4(2)(a) through the written description of the proposed development provided on the application form which includes the depth of the extension beyond the rear wall of the original dwellinghouse, together with the maximum height and the height to eaves as required by subparagraphs A.4(2)(a) (i), (ii) and (iii) respectively. Paragraph A.4(2)(b) requires the developer to provide the local planning authority with a plan indicating the site and showing the proposed development. In that regard, the appellant provided a layout plan at scale 1:50 which clearly indicates the site and shows the proposed development.
8. When taken together, I consider that the information provided within the application form and layout plan constitute sufficient information to meet the requirements of paragraphs A.4(2)(a) and A.4(2)(b). Furthermore, the application form also provides the addresses of all adjoining properties, the developers contact address and the developers e-mail address in compliance with the requirements of A.4(2)(c), (d) and (e). I, therefore, consider that the application subject to this appeal meets the requirements of paragraph A.4(2) in full.
9. The Council refused the application on the basis of paragraph A.4(3)(b). The Council's concerns relate specifically to the absence of elevation details to allow neighbours to assess its impact under the consultation required by paragraph A.4(5). However, to my mind, the powers conferred by paragraphs A.4(3)(b) and A.4(8) should be applied to the information required under paragraph A.4(2) insofar as to enable the local planning authority to establish whether the proposed extension meets the requirements listed under paragraphs A.1, A.2 and A.3. In that respect, I find that the information provided as part of the application subject to this appeal meets the requirements of paragraph A.4(2) and is sufficient to establish that the proposal falls within the permitted development rights that are relevant to

single storey rear extensions in paragraph A.1. I also note that materials are dealt with under the condition listed in paragraph A.3(a) with the wording enabling compliance without submission of details, whilst the requirements of paragraph A.2 and paragraph A.3(b) and (c) do not apply to the proposal before me.

10. In the context of the above, it is my view that the Council's requirement for the appellant to submit further details to enable the impact of the extension to be assessed by adjoining owners and occupiers as part of consultation under paragraph A.4(5) was not necessary. To my mind, if the provision of information under paragraph A.4(2) had been intended to include the provision of elevation drawings or other details of the development at that stage, including its roof design and fenestration, it would have specifically stated a requirement in such terms within that bulleted list or elsewhere. It may be the case that if a subsequent requirement for prior approval under paragraph A.4(7) had been engaged following consultation under paragraph A.4(5), that it would have been necessary for the Council to use the powers conferred under paragraph A.4(8) to request further information to fully assess the impact of the proposed development on the amenity of adjoining premises taking account of any representations made. However, I do not consider that the use of such powers is needed when paragraph A.4(7) is not engaged and the information provided under paragraph A.4(2) is sufficient to establish whether the proposed single storey extension would meet the relevant conditions, limitations and restrictions listed under paragraphs A.1, A.2 and A.3, which I have found to be the case for the application before me.
11. The application was refused by the Council under paragraph A.4(3) and, therefore, paragraphs A.4(5) and (6) did not apply and adjoining owners and/or occupiers were not notified. However, without prejudice to the outcome of the appeal, I requested that consultation be undertaken in accordance with paragraphs A.4(5) and (6) to prevent any unnecessary delay to this decision if I were to find that the application proposal otherwise complies with the conditions, limitations or restrictions applicable to Schedule 2, Part 1, Class A of the GPDO. No objections from an owner or occupier of any adjoining premises to the proposed development have been received. Consequently, in the particular circumstances of this case, it is not necessary to consider the impact on amenity of adjoining premises as part of this appeal given that the prior approval requirements under paragraphs A.4(7) and A.4(9) are not engaged.
12. Having regard to all of the above, I conclude that the proposed development constitutes permitted development and prior approval is not required as paragraph A.4(7) is not engaged. The proposal satisfies the conditions, limitations and restrictions set out in Schedule 2, Part 1, Class A of the GPDO relevant to it.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed.

Gareth Wildgoose

INSPECTOR

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Report to:	Planning Committee
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting:	20 March 2018

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool during January 2018.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Service Manager, Public Protection Department, in authorising the notices set out below.

3.0 Reasons for recommendation(s):

3.1 The Committee is provided with a summary of planning enforcement activity for its information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

Not applicable. The report is for noting only.

4.0 Council Priority:

4.1 The relevant Council Priority is both

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

5.0 Background Information

5.1 Cases

New cases

In total, 33 new cases were registered for investigation, compared to 89 received in January 2017.

Resolved cases

In January 2018, 14 cases were resolved by negotiation without recourse to formal action, compared with 10 in January 2017.

Closed cases

In total, 37 cases were closed during the month (52 in January 2017). These cases include those where there was no breach of planning control found, no action was appropriate (e.g. due to more effective action by other agencies, such as the police) or where it was considered not expedient to take action, such as due to the insignificant nature of the breach.

Formal enforcement notices / s215 notices / BCNs

- One enforcement notice authorised in January 2018 (two in January 2017);
 - No s215 notices authorised in January 2018 (none in January 2017);
 - No Breach of Condition notices authorised in January 2018 (none in January 2017).
-
- One enforcement notice served in January 2018 (none in January 2017);
 - No s215 notices served in January 2018 (none in January 2017);
 - No Breach of Condition notices served in January 2018 (none in January 2017);

relating to those cases set out in the table overleaf.

Notices authorised in January 2018

Ref	Address	Case	Dates
13/8272	197 WATERLOO ROAD	Unauthorised erection of a wooden and brick rear extension	Enforcement Notice authorised 09/01/2018

Notices served in January 2018

Ref	Address	Case	Dates
17/8192	22-28 CLIFTON STREET	Unauthorised erection of two canopies used as smoking shelters on the front elevation	Enforcement notice issued 16/01/2018. Notice due for compliance by 27/03/2018.

5.2 Does the information submitted include any exempt information?

No

5.3 List of Appendices:

None

6.0 Legal considerations:

6.1 None.

7.0 Human Resources considerations:

7.1 None.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 None.

13.0 Background papers:

13.1 None.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting:	20 March 2018

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool during February 2018.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Service Manager, Public Protection Department, in authorising the notices set out below.

3.0 Reasons for recommendation(s):

3.1 The Committee is provided with a summary of planning enforcement activity for its information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

Not applicable. The report is for noting only.

4.0 Council Priority:

4.1 The relevant Council Priority is both

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

5.0 Background Information

5.1 Cases

New cases

In total, 49 new cases were registered for investigation, compared to 66 received in February 2017.

Resolved cases

In February 2018, 16 cases were resolved by negotiation without recourse to formal action, compared with 7 in February 2017.

Closed cases

In total, 54 cases were closed during the month (57 in February 2017). These cases include those where there was no breach of planning control found, no action was appropriate (e.g. due to more effective action by other agencies, such as the police) or where it was considered not expedient to take action, such as due to the insignificant nature of the breach.

Formal enforcement notices / s215 notices / BCNs / Community Protection Notices

- No enforcement notices authorised in February 2018 (none in February 2017);
- Two s215 notices authorised in February 2018 (none in February 2017);
- No Breach of Condition notices authorised in February 2018 (none in February 2017).

- No enforcement notices served in February 2018 (none in February 2017);
- No s215 notices served in February 2018 (none in February 2017);
- No Breach of Condition notices served in February 2018 (none in February 2017);
- No Community Protection Notices served in February 2018 (none in February 2017).

relating to those cases set out in the table overleaf.

Notices authorised in February 2018

Ref	Address	Case	Dates
15/8223	18 LONSDALE ROAD	Poor condition of property	S215 notice authorised 05/02/2018
14/8662	34 YORK STREET	Poor condition of property	S215 notice authorised 07/02/2018

5.2 Does the information submitted include any exempt information? No

5.3 List of Appendices:

None.

6.0 Legal considerations:

6.1 None.

7.0 Human Resources considerations:

7.1 None.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 None.

13.0 Background papers:

13.1 None.

Report to:	Planning Committee
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting:	20 March 2018

PLANNING APPLICATIONS AND APPEALS PERFORMANCE

1.0 Purpose of the report:

1.1 To update the Planning Committee of the Council's performance in relation to Government targets.

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 To provide the Committee with a summary of current performance.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None the report is for information only.

4.0 Council Priority:

4.1 The relevant Council Priority is both

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

5.0 Background Information

5.1 The Planning Committee will be aware that the Government has set targets for the

determination of major and minor category planning applications and major and minor category appeals. These are speed and quality of decision targets and are currently –

Speed of major development decisions – 60% within 13 weeks or an agreed Extension of Time – for the period October 2016 to September 2018

Speed of minor development decisions – 70% within 8 weeks or an agreed Extension of Time – for the period October 2016 to September 2018

Quality of major development decisions – Loss of more than 10% of appeals – for the period April 2016 – March 2018

Quality of non major development decisions – Loss of more than 10% of appeals – for the period April 2016 – March 2018

Figures are submitted quarterly to the Department of Communities and Local Government.

Performance is shown in this case for January and February 2018 and the 3rd quarter of the financial year (October-December 2017)

	Government Target	Performance January and February 2018	Performance Oct-Dec 2017
Major development decisions	>60%	100%	100%
Minor development decisions	>70%	95%	100%
Quality of major development decisions	<10%	none	none
Quality of non major development decisions	<10%	2 lost and 4 won since 1 Jan 2018(33%)	none

5.2 Does the information submitted include any exempt information? No

5.3 List of Appendices

None.

6.0 Legal considerations:

6.1 None.

7.0 Human Resources considerations:

7.1 Performance is influenced by staffing numbers, sickness and leave.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 Poor performance puts the Council at risk of designation and the potential for loss of fee income.

10.0 Risk management considerations:

10.1 Under resourcing the service could lead to inability to respond to peaks in workload

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 Not applicable.

13.0 Background Papers

13.1 None.

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COMMITTEE DATE: 20/03/2018

Application Reference: 17/0406

WARD: Bispham
DATE REGISTERED: 22/06/17
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: AUTUMN LEAVES RESIDENTIAL HOME

PROPOSAL: Erection of single storey rear extensions to form orangery and 6 bedrooms and internal alterations to increase overall number of bedrooms from 17 to 25

LOCATION: 502 DEVONSHIRE ROAD, BLACKPOOL, FY2 0JR

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool and **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience

SUMMARY OF RECOMMENDATION

This application is for extensions to an established care home. Whilst it is recognised that the property was built as a house in common with the other properties which form a cluster on the western side of Devonshire Road it has a large rear garden area and is set on a wide plot. The application has been amended to seek to balance the needs of improving the care home whilst respecting the amenities of the neighbouring residents. On balance it is considered that the revised proposals accord with para 17 of the NPPF, Policy CS7 of the Core Strategy and Policies AS1, LQ14 and BH3 of the Local Plan.

INTRODUCTION

The application was deferred at the meeting of the Council's Planning Committee on 21 November 2017. The Committee considered the application and raised concerns relating to the impact of the proposed rear extension on the amenities of the occupiers of 504 Devonshire Road due to its positioning, the length of the proposed extension and its proximity to the neighbouring property. Members considered that a deferral of the application to a future meeting would be appropriate to give the applicant the opportunity to consider the Committee's concerns regarding the proposed development's impact on the amenities of the occupiers of the neighbouring property. The applicant and his agent have

met with the owner of 504 Devonshire Road and the amendment to the application has resulted from that meeting.

Planning Permission was granted in 1988 (planning application reference 86/1582) for a change of use from residential (Class C3) to a Rest Home (Class C2). Since being granted change of use, two further applications have been approved to extend the property (planning application references 88/0688 and 88/1834). The application has been amended following discussions with officers - a first floor extension to the south west corner of the property has been omitted and the design, height and position of the projecting rear extension has been amended

SITE DESCRIPTION

The property is within an established residential area, but it does not have any allocation on the Local Plan Proposals Map. There is a cluster of properties on the western side of Devonshire Road and they are surrounded by North Shore Golf Course to the rear.

The property is a large two storey detached property set in a large garden area with a car parking area to the front and side. The property is currently used as a residential care home for the elderly (Class C2) with 17 bedrooms. The property has previously been extended in the late 1980's shortly after its current use commenced.

The site is set below the level of Devonshire Road with the land sloping down from the golf course to the rear in a north easterly direction.

DETAILS OF PROPOSAL

The proposal is to carry out internal alterations to the property including extensions to provide additional bed space capacity thus increasing the number of residents from 20 to 25. The proposals consist of squaring off the south west corner of the property and a rear extension from the rear elevation of the property which would be inset between approx 3.8 metres and 4.8 metres from the boundary with no 504 Devonshire Road (previously the extension was shown as being between 1 metre and 2.5 metres from the boundary with no 504). The extension would take the form of a glazed dining room extension/ orangery and a single storey wing which would project into the rear garden and provide a seating area off the dining room and 4 bedrooms. The single storey extension would have a shallow monopitched green roof which would slope away from the neighbour's property at no 504. An additional area of car parking would be provided to the south of the existing property.

(Various options for the extensions were considered by the applicant following the deferral of the application and this was deemed to be the best compromise in terms of meeting the requirements of the home whilst respecting the amenities of the occupiers of no 504 Devonshire Road)

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- **Principle**
- **Design**
- **Amenity**
- **Highway Safety**
- **Parking and Servicing Arrangements**
- **Other Issues**

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Head of Highways and Traffic Management - Originally objected to the application on the basis that no car parking layout was provided as part of the application. Having seen the car parking layout and considered this in relation to the standards (1 car parking space for every 5 residents) does not wish to raise an objection to the application as sufficient off street car parking is available to serve the use

PUBLICITY AND REPRESENTATIONS

Neighbours notified : 22 June 2017 and 18 October 2017 and 26 February 2018

Two neighbour objections have been received in relation to the original plans for - *Erection of part two storey/ part first floor rear/ side extension and erection of single storey rear extension, to form lounge and 8 additional bedrooms*, from 500 and 504 Devonshire Road
The issues raised are as follows -

1. The proposed two storey extension because of its proposed proximity to no 500 would offer the potential to overlook rooms in no 500 and the rear garden
2. The proposed extensions would cause a loss of light
3. The increase in the number of residents from 17 to 25 would result in additional visitors to residents (families and friends) and additional visits from professional healthcare staff
4. Visitors currently park on Devonshire Road which affects visibility and manoeuvrability when accessing /egressing driveways
5. The proposal represents a further expansion of a commercial use in a residential area
6. The single storey wing into the rear garden is likely to be hit by golf balls
7. Concern about levels of respective properties
8. Concern about additional surface water run off
9. Concern about impact on garden area - shading /bulk and mass of the single storey wing

A further representation was received to the original application from the owner of no 504 Devonshire Road enclosing photographs showing the extent of potential shading of his rear garden at this time of year, showing the car parking area full, showing a vehicle unloading on Devonshire Road, showing a vehicle reversed in the drive and blocking access to and egress from the car parking area and a car parked on Devonshire Road. He also raised the following points

REAR EXTENSION REVISED DRAWING 01/11/2017

Reference the right side elevation (Showing position of current fence). Missing The Roof? This fails to show the actual roof line which is in fact only 450mm lower than the original plans. The new design is primitive and an eyesore.

The current distance of the existing building is at present 250mm from the boundary fence (this being ground and first floor). The proposed building would only be 2.00 metres from the boundary fence, but that would be 27.5 metres further down the garden at its furthest point. The rest would taper towards the boundary - the scale of this extension and loss of light is huge.

ENTRANCE

I don't know which entrance is classified as the main entrance. What I do know is all Residents, Staff, Visitors, Nurses, Doctors, Ambulances, Deliveries and Maintenance staff enter and exit the side door (Where the ramp is fitted). This activity takes place 24/7, not just sociable hours. This activity is 3.700 metres directly in front of my kitchen window, so close in fact I get countless smiles, waves and nods through the window in the privacy of my own house. Although unfortunately there's nothing for me to do about it now, an increase of these occurrences is completely unacceptable.

MY EXTENSION

The extension I've recently completed is in line with all the other extended residential properties; I spoke to my neighbour before submitting my plans. With that in mind, the existing Care Home is still 8 metres further out than this line while also being a ground floor and first floor house. The proposed plans show this already overdeveloped site wanting to extend a further 18.7 metres. This would truly have a huge impact.

CAR PARKING

The site has insufficient parking at present and would benefit from an expansion for the traffic it already receives to make it safer for users and highways. My house isn't far short from the Parking facilities the Care Home has. Houses 506 and 508 have increased their parking facilities over the years I suspect due to the traffic on Devonshire Road. The situation would be far worse with an approximately 50% increase in Residents, visitors etc.

A further representation has been received following the Planning Committee meeting on 21 November 2017 from -

Miss S Smith 483 Devonshire Road, Bispham, FY2 0JR (Objects)

I am watching this application with interest. I live opposite the Autumn Leaves home and confirm that I regularly see cars parking on the main road verge and go in to the home, regardless of whether there is a place or several places in the car park or not. As I type this it is noon on a Sunday. I have already this weekend photographed 5 different cars parked on the road and I am not at home very much over a weekend! I can state I have watched each

one of those people that have parked on the verge/roadside go into the home and not to any of the neighbours. I can also state that I witness regularly professionals visiting and parking on the roadside, this is obvious from their uniforms and badges round their necks. I see the parking on the road to be a risk both to local vehicles and others that use the road including all of the emergency services. it is an extremely busy, dangerous and often speedy stretch of road. A recent speed and vehicle check set up by the police in the same stretch of road resulted in a three car pile up. I would not recommend any application that encourages the prospect of more vehicles in this area. There is a bus stop in the vicinity and same side of the home. Crossing the road in that same area is a huge difficulty for everyone who uses this stop due to the volume of traffic. Parked vehicles hinders visibility to the pedestrians. I see one of the comments in support of the application is that it may encourage more jobs, more staff often = more cars. More residents = more visitors and professionals attending the home. I would strongly not recommend this.

Letters from the owner and manager in support of the application have been received confirming numbers in the home would increase from 20 to 25, referring to the residential appearance of the home, referring to the open visiting times and the availability of off street parking and referring to changes to the proposed application to mitigate any impact on the neighbours.

Additional letters of support received from 199 Ashfield Road, 31 Dawlish Avenue, 1 Carlisle Grove and 5 Keats Close (two employees and 2 people who have relatives at the home) referring to the homely atmosphere, the quality of care, the benefit of providing all single rooms and the availability of off street car parking

No comments have been received so far in relation to the amended plans and the notification letter sent on 26 February 2018. Any comments received prior to the Planning Committee meeting will be reported in the update note.

NATIONAL PLANNING POLICY FRAMEWORK

Para 17 - achieve a good standard of design and amenity
Section 6 – Delivering a Wide Choice of High Quality Homes (paragraphs 50 and 53).
Section 7 – Requiring Good Design (paragraphs 59 – 66)

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan Part 1: Core Strategy was adopted by the Council in January 2016. The policy in the Core Strategy that is most relevant to this application is -

CS7 – Design Quality

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

LQ1 – Lifting the Quality of Design

LQ2 – Site Context

LQ4 – Building Design

LQ14 – Extensions and Alterations

BH3 – Residential and Visitor Amenity

BH24 - Residential Institutions and Community Care Residential Use

AS1 - General Development Requirements

Supplementary Planning Guidance 9: Residential Institutions

ASSESSMENT

Principle - There is currently no specific policy relating to the extension of an existing care home and hence the principles of Policy BH24 could be considered when assessing applications for extensions to existing homes. Policy BH24 has five criteria and it is considered that three of these are relevant in this case -

- type of use applied for
- intensity of use and its effect on adjacent occupiers
- suitability of the premises and location

The proposals relate to a care home with 14 single bedrooms and 3 double bedrooms. The proposal is create 25 en-suite bedrooms. The home has a good rating from the CQC and hence there is a social benefit in providing additional rooms at the home. Whilst the property was built as a house it is situated on a large plot (as are the neighbouring properties) and hence the principle of extending the home is acceptable subject to design, amenity and parking considerations which are discussed in other parts of this assessment.

Design - the application has been amended to omit a first floor element at the rear and which would have been close to no 500 Devonshire Road and hence the single storey extensions proposed would be subservient to the existing home. The extension to the south west corner of the home would replicate the existing lean to type extension to the home. The projecting rear extension would take a different form in that it would have a very shallow sloping green roof which pays homage to the setting of the home adjacent to the golf course to the rear. The slope would be away from the neighbour at no 504 to the north and the eaves would be just below the eaves of the existing gable of the two storey extension at the rear of the home. It is proposed to have a glazed element to link the existing with the new and then a rendered facade to reduce the bulk of the extension. It is considered that the proposals meet the requirements of para 17 and section 6 of the NPPF, Policy CS7 of the Core Strategy and Policy LQ14 of the Local Plan.

Amenity- the amended scheme has sought to reduce the impact of the proposals on the amenities of the occupiers of nos 500 and 504 Devonshire Road. The omission of the first floor element at the rear which would have been close to no 500 Devonshire Road means that the single storey extension adjacent to no 500 Devonshire Road would not have a significant impact on the amenities of the occupiers of this property. It would be approximately 2.5 metres from the boundary at its nearest point and being to the north of no

500 it would not have any shading issues. The amendments to the extension adjacent to no 504 Devonshire Road have sought to reduce the impact on the amenities of the occupiers of this property. It is acknowledged that the extension is long at 19.6 metres in length but its height and design have been altered in an attempt to reduce its bulk and the potential for shading of no 504's garden and the revised proposal would see it set approx 3.8 to 4.8 metres away from the boundary with no 504 (the previous proposal considered by the Committee was for the extension to be set between 1 metre and 2.5 metres from the boundary with no 504). The introduction of a green roof has also sought to reduce the impact on outlook from no 504. Glazing in the elevation facing no 504 would be obscure glazing so there would be no potential for overlooking of no 504. It is recognised that the amended plan in setting the extension away from the boundary with no 504 would move it closer to no 500 but there would still be a reasonable set off distance from the boundary with no 500 - circa 6 metres. In addition the extension would be to the north of no 500 and the windows on the elevation facing no 500 would be angled towards the golf course to the rear. On balance it is considered that the amendments to the scheme meet the requirements of para 17 of the NPPF, Policy CS7 of the Core Strategy and Policy BH3 of the Local Plan.

Highway Safety - the site is lower than Devonshire Road and hence it is not readily apparent whether the parking areas within the site are occupied. The driveway is wide and there is an added benefit in that the distance from Devonshire Road to the drive is greater than normal because of the existence of a grass verge. Visibility at the access is good because of the alignment of Devonshire Road and the wide open and level frontage. It is acknowledged that Devonshire Road is a busy distributor road but cars can enter and leave the site in forward gear. As for larger vehicles - food supplies, laundry etc these would have to park on Devonshire Road and an ambulance could reverse into the site.

Parking and Servicing Arrangements - the car parking standards would require a maximum of 5 car parking spaces (1 for every 5 residents) Two cars can be parked to the north of the existing building, two to the south (in tandem) and two/three on the frontage although the block paved area does not contain marked spaces. There is no dedicated servicing area within the site. Local residents suggest that there is a problem with on street parking although your officers have not witnessed there being a problem.

Other Issues - the single storey rear extension to the north-west corner of the building would be cut into the rear garden area which had been re profiled following a previous extension to the home. The proposal would leave a garden area of some 6 metres wide by 20 metres in length and hence there would be adequate amenity space for a home of this size. The use of a green roof would help reduce surface water run off from the roof of the extension. The potential for the extension to be hit by stray golf balls is not a planning consideration.

CONCLUSION

This application is for extensions to an established care home. Whilst it is recognised that the property was built as a house in common with the other properties which form a cluster on the western side of Devonshire Road it has a large rear garden area and is set on a wide plot. The application has been amended to seek to balance the needs of improving the care home whilst respecting the amenities of the neighbouring residents. On balance it is considered that the revised proposals accord with para 17 of the NPPF, Policy CS7 of the Core Strategy and Policies AS1, LQ14 and BH3 of the Local Plan.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

HUMAN RIGHTS ACT

Under Article eight and Article one 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. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have 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

BACKGROUND PAPERS

Planning Application File(s) 17/0406, 88/1834, 88/0688 and 86/1582 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.doaction=weeklyList>

Recommended Decision: Grant Permission

Conditions and Reasons

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:

Location Plan stamped as received by the Council on 12th June 2017

Drawings showing floor layouts and elevations received on 23 February 2018 and car parking layout received on 7 November 2017

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

3. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plan shall be provided and shall thereafter be retained.

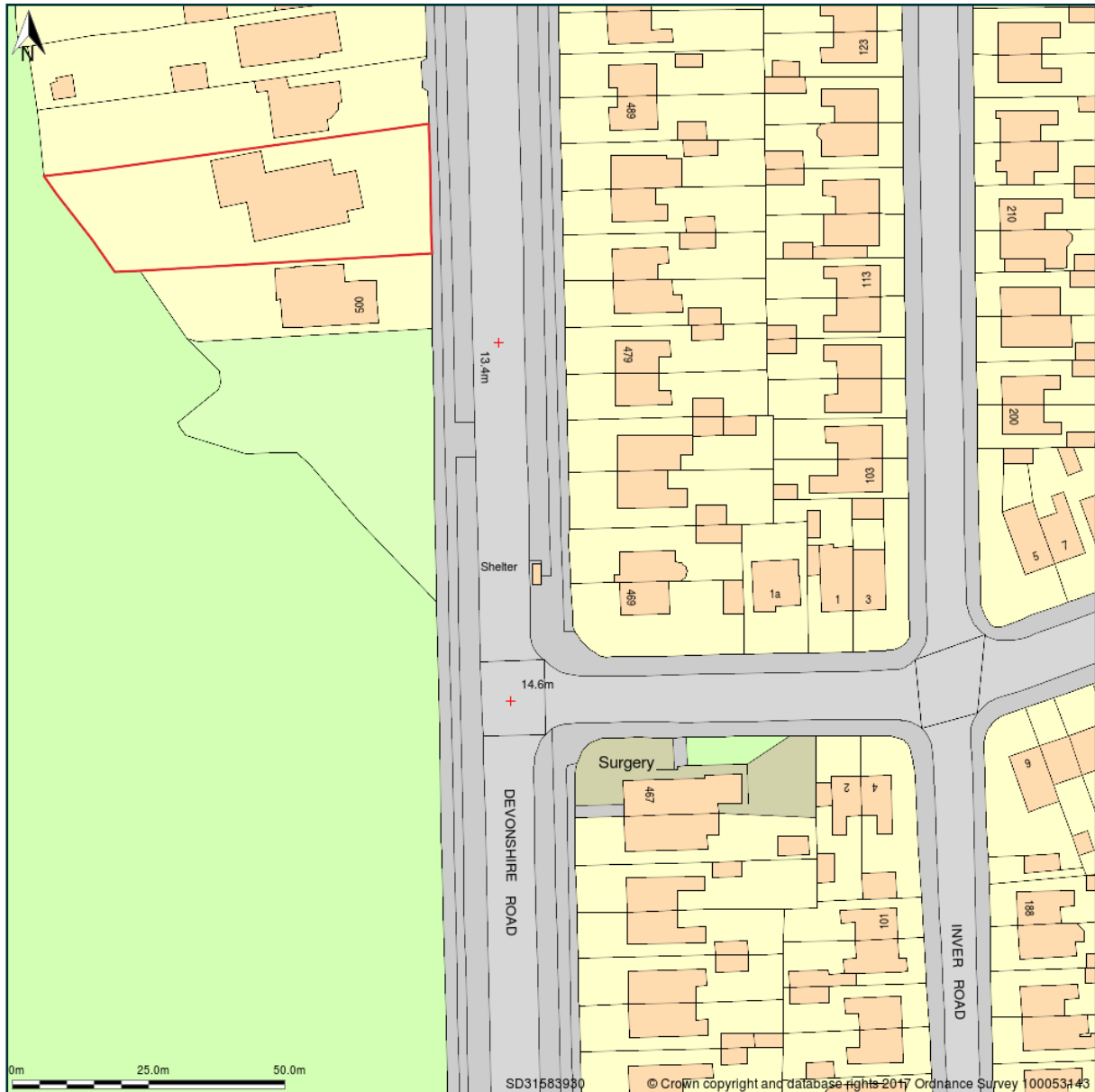
Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

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Autumn Leaves Uk Ltd Autumn Leaves Care Home 502 Devonshire Road Blackpool FY2 0JR



Site Plan shows area bounded by: 331484.36, 439206.94 331684.36, 439406.94 (at a scale of 1:1250), OSGridRef: SD31583930. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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COMMITTEE DATE: 20/03/2018

Application Reference: 17/0443

WARD: Victoria
DATE REGISTERED: 26/06/17
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mrs Smith

PROPOSAL: Use of first floor as a beauty therapy centre.

LOCATION: 340 WATERLOO ROAD, BLACKPOOL, FY4 4BH

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool.

SUMMARY OF RECOMMENDATION

This application relates solely to the change of use of the first floor of the premises from residential to a beauty therapy centre. Clearly car parking is a major issue in the vicinity, but it is important to remember that the existing residential use of the first floor has the ability to generate demand for parking so effectively the main consideration here is how much additional parking demand the new use will generate over and above that of the existing use. The differing nature of the previous and new uses means that the parking demand will inevitably be different with the beauty salon generating a higher demand for short stay parking during business hours and the residential use generating demand for longer stay and overnight parking.

Given the amount of floorspace involved it is not considered that the impact of the change of use would be sufficient to justify a refusal that would be supported at appeal. With this in mind officers have sought to deal with the obstruction of the footpath by seeking the installation of bollards on the forecourt of the premises to delineate this from the footway, thus preventing vehicles overhanging and causing a nuisance to pedestrians. In terms of the on street parking situation the area is currently unrestricted and there are no plans to introduce a residents' parking scheme in the locality. Whilst officers have discussed the potential for providing some off site car parking for the business this option is no longer available to the applicant.

At the meeting on 30 August 2017 the officer recommendation was - 'On balance, given the existing use and the proposed expansion against the existing fall back position. It is not considered that the impact of the proposal will be so unduly detrimental as to justify a refusal and it is therefore recommended that planning permission be granted subject to conditions' Your officer's position remains the same with the applicant and hence it is recommended for approval.

INTRODUCTION

The application was deferred at the meeting of the Council's Planning Committee on 30 August 2017. The Committee considered that without the completion of a suitable agreement to ensure that parking was available off site for staff and customers that the change of use would add unacceptably to the parking issues being experienced already in the area. It therefore concluded that the application should be granted but only subject to the signing of a suitable legal agreement regarding the provision of off street car parking for at least 8 cars.

Resolved:

That the Committee is minded to approve the application subject to suitable resolution of the concerns about parking and that approval be delegated to the Head of Development Management subject to the completion of a suitable Section 106 agreement mandating that the use not commence until the provision of suitable off-street car parking had been secured.

The applicant has indicated that the offer of car parking at the former Waterloo Methodist Church is no longer available and hence the application has to be considered on the basis of no additional off street car parking being available for the premises.

This application has resulted from an enforcement investigation into the use of the upper floor as a nail bar/sauna. There is no other planning history relating to this site, however, the site was previously used as an insurance office prior to the occupation by the current business.

SITE DESCRIPTION

The site is within an existing residential area and is situated on a primary distributor route as identified on the Local Plan Proposals Map.

The area is for the most part residential in character however individual and clusters of shop units are interspersed along Waterloo Road and there are other small industrial uses operating in the side streets surrounding the site.

The property is a detached shop unit with a small forecourt in front of it. The forecourt measures approximately 9.5 metres by 4 metres and there is an H marking on the carriageway in front of the forecourt. Currently, the ground floor is used as a hairdressers/beauty salon with the upper floor being residential accommodation accessed via the ground floor unit. Work to convert the upper floor is already in progress.

DETAILS OF PROPOSAL

Change of use of first floor from residential to beauty therapy centre. The proposal will create an additional 41sqm of additional treatment areas in 3 rooms. There will also be a new staff room provided in addition to this. Staffing numbers would increase from 5 to 8.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle
- Amenity
- Highway Safety
- Parking and Servicing arrangements
- Other Issues

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Head of Highways and Traffic Management: Previously the ground floor used to be a business selling Insurance, and a single car was observed to be parked on the forecourt at any one time, parked in such a manner that it did not impede pedestrian movement, so no issues.

More recently, the use has changed, to a hairdressing salon, which has resulted in frequent vehicle trips to the site with customers parking on the narrow forecourt overhanging the public highway and impeding pedestrians. This is not ideal and could lead to pedestrians walking out onto the carriageway with their backs to traffic.

If you are mindful to support the proposal, may I ask that you condition that a boundary wall be introduced at the front (replicating neighbouring properties), and that the footway is reinstated where the vehicle crossing is shown together with the removal of the existing H marking.

PUBLICITY AND REPRESENTATIONS

Neighbours notified : 3 July 2017

Five objections and a petition containing 33 signatories have been received which raise the following concerns.

- Existing on street parking problems will be exacerbated by intensification of use
- Existing off street parking provision is substandard forcing pedestrians into the carriageway
- Highway safety issues particularly for children, people with buggies or prams, wheelchair users and blind/partially sighted people.
- The applicant never applied to change the use of the property to a hairdressing salon (planning permission was not required to change from the previous A2 use on the ground floor to a hairdressers (A1 use)

In addition, 233 representations in favour of the proposal have been received. These are mainly from customers of the business.

NATIONAL PLANNING POLICY FRAMEWORK

Core Principle 2 "Ensuring the Vitality of Town Centre" and Core Principle 7 "Good Standard of Design and Amenity" of the NPPF

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are -

CS4 – Retail and Other Town Centre Uses

CS7 - Design Quality

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

AS1- General highway requirement

BH3 – Residential and Visitor Amenity

BH14 – Local Centres

ASSESSMENT

Principle - The previous layout of the premises indicates three bedrooms with a shared kitchen and bathroom but no communal living accommodation which is accessed via the ground floor shop unit. This suggests that the property was last used as an HMO and therefore the loss of this poor quality accommodation does not present any policy issues.

Amenity – It is not considered that the proposal will have any adverse impact on the amenities of neighbouring residential occupiers given the nature of the use and the proposed hours of operation. The proposed hours of operation are 9.00 – 19.00 hours Mondays – Fridays and 9.00 – 16.30 on Saturdays.

Highway Safety – There is a forecourt in front of the premises which is used by staff and customers for parking. The distance between the front of premises and the back edge of the footway is approximately 4 metres which is significantly below the length of a vehicle and the standard requirement for a useable car parking space. This means that when vehicles park on the forecourt they invariably overhang the footway forcing pedestrians out into the carriageway as they manoeuvre round the obstruction. This occurs at present and the proposal will allow this issue to be addressed by way of a condition requiring measures to be implemented which prevent vehicles parking in a manner which obstructs the footway.

Having regards to the highway safety issues raised a meeting was arranged to discuss these concerns with the applicant. Following this it was agreed that rather than insist on a wall across the frontage of the premises to prevent vehicles using the forecourt a set of drop bollards would be installed to prevent indiscriminate parking on this area. This would allow staff vehicles to still use the forecourt for parking without interfering with the free flow of pedestrians using the footway.

Parking and Servicing Arrangements - Concerns have also been expressed about the intensification of use and the increased pressure this will put on the limited on street parking in the vicinity. At present there is a three bed accommodation which potentially could generate vehicular traffic from residents and as the floorspace is not increasing there is a trade-off situation between the use of the existing living accommodation and that of beauty salon on the first floor. Clearly both have different characteristics in terms of the traffic they generate in that the residential use will typically generate a requirement for longer stay/overnight parking, whilst the customers of the beauty salon will generate demand for shorter stay parking on a more frequent basis. The on street parking closest to the premises is immediately outside residential properties whose occupiers also use the road to park their own vehicles on and therefore this does create some conflict in relation to the limited space available to park vehicles in. Unfortunately, this is not something that can be regulated via the planning process and it would not be a justification for resisting this change of use as all legal road users have a right to park along this stretch of road.

Other Issues - The property was previously used as an Insurance office (Class A2) and subsequently changed into a hairdresser's (Class A1). The Town and Country Planning (General Permitted Development) Order 2015, permits such a changes of use without the need to apply for planning permission.

Currently, there are five full time employees and it is proposed that this will increase to eight as a result of the proposal. Therefore three additional full time jobs will be created.

CONCLUSION

Clearly car parking is a significant concern in the locality and competition for the limited number of spaces close to the subject property between residents and customers has caused a degree of animosity between the business and its neighbours. Vehicles overhanging the footway that are parked on the forecourt in front of the premises have also been a source of annoyance to residents and passers-by, however, through the recent installation of bollards on the forecourt the length of vehicles that can park on the forecourt has been restricted thus preventing larger vehicles parking here and obstructing the footway.

Through negotiation officers have been able to improve the situation in relation to the obstruction of the footpath, but limited parking in the locality means that inevitably this will remain a source of tension between residents and customers. The applicant did explore alternative off street parking provision on the site of the former Waterloo Methodist Church on the opposite side of Waterloo Road, however, the Council cannot compel the applicant to enter into an agreement nor can the applicant force customers to use this facility. The applicant has confirmed that the offer of this car parking is no longer available and hence the application has to be considered on the basis of no additional off street car parking being available for the premises.

At the meeting on 30 August 2017 the officer recommendation was - 'On balance, given the existing use and the proposed expansion against the existing fall back position. It is not considered that the impact of the proposal will be so unduly detrimental as to justify a refusal and it is therefore recommended that planning permission be granted subject to conditions' Your officer's position remains the same with the applicant and hence it is recommended for approval.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Not Applicable - no off street car parking at the former Waterloo Methodist Church is now available and hence no legal agreement is required

HUMAN RIGHTS ACT

Under Article eight and Article one 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. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have 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

BACKGROUND PAPERS

Planning Application File 17/0443 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.doaction=weeklyList>

Recommended Decision: Grant Permission

Conditions and Reasons

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:

Location Plan received by the Council on 26/06/2017

Drawing numbered B/17/71/01

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

3. Prior to the development hereby approved being first brought into use a scheme shall be submitted to and agreed by the Local Planning Authority to prevent vehicles parked on the forecourt of the premises overhanging the footway and obstruction pedestrian movement. The approved scheme shall then be implemented and shall thereafter be retained.

Reason: In the interests of highway and pedestrian safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027..

4. The use of the premises shall not operate outside the hours of 0800 - 1900 Mondays to Fridays and 0900 - 1630 on Saturdays and shall be closed on Sundays and Bank Holidays.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

**SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 332088, 434371**



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