

COMMITTEE DATE: [04/07/2017](#)

Application Reference: 17/0247

WARD: Bloomfield
DATE REGISTERED: 26/04/17
LOCAL PLAN ALLOCATION: Resort Core
Defined Inner Area

APPLICATION TYPE: Full Planning Permission

APPLICANT: Mr Ehsan Malik

PROPOSAL: External alterations and use of ground floor as altered as one self-contained permanent flat.

LOCATION: 26 DALE STREET, BLACKPOOL, FY1 5BX

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr Mike Davies

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

SUMMARY OF RECOMMENDATION

The property is on the edge of the holiday accommodation area, fronting Dale Street with a minimal return onto Bairstow Street. The character of Dale Street is commercial in nature and differs significantly from that of Bairstow Street which is characterised by holiday accommodation. With this in mind and having regard to the fact that the subject property is not used as holiday accommodation it is considered that there are no overriding material consideration which should prevent this change of use as the impact on the use on the holiday accommodation area will be negligible and may even be viewed positively by improving the visual appearance of the corner by bring the property back into use.

The elevational alterations proposed are considered to result in a more aesthetically pleasing appearance than the existing solid roller shutters and projecting housing boxes at ground floor level. The windows and door have been designed to replicate the proportions of the existing property above and it is considered that these sympathetic alterations to the appearance of the property will positively enhance the conservation area's character.

SITE DESCRIPTION

The site is located within the Defined Inner Area Boundary and Resort Neighbourhoods as defined on the Local Plan proposals map. The property is also within the Foxhall (Main Holiday Accommodation Area) and The Foxhall Conservation Area.

The site consists of a corner three storey terraced property with a vacant shop unit at ground floor level and above this are two floors of holiday accommodation which form part of Hawthorne House a guest house which fronts onto Bairstow Street. There is a gated alleyway to the rear of the premises which runs between No.24 Dale Street and the subject property No.26 Dale Street. The surrounding area is characterised by high density terrace properties along narrow streets. The property is situated on the junction of Dale Street and Bairstow Street. Bairstow Street is characterised by a concentration of holiday accommodation, in particular guest house accommodation.

DETAILS OF PROPOSAL

The proposal is to convert the ground floor shop into a self-contained permanent two bedroom flat. Elevational alterations will also be undertaken as part of the scheme, which are sympathetic in detail to the character of the property.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle
- Amenity
- Highways
- Design

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

CONSULTATIONS

Built Heritage Manager - Is supportive of the proposal as it is considered that it will enhance the appearance of the building and make a positive contribution to the character of the conservation area as a whole.

PUBLICITY AND REPRESENTATIONS

Press notice published: Not applicable

Site notice displayed: 4 May 2017

Neighbours notified: 27 April 2017 and 31 May 2017

Neighbours- objections have been received from two neighbours in relation to the proposal. Their concerns can be summarised as follows:

- Accuracy of submitted plans (the rear yard is not shared)

- Conservation Area
- Holiday Accommodation area which should be reserved for such use
- Concern over existing and future refuse storage provision and collection
- Existing flats offered at low rents already attract undesirable elements and the proposal will add to existing problems
- Privacy issues
- Concern at increased noise and disturbance
- Car parking is already a problem and this will be further exacerbated by an additional flat

NATIONAL PLANNING POLICY FRAMEWORK

Core Principle 6 "Delivering a wide choice of High quality Homes" paragraphs 47 - 51 and Core Principle 7 "Requiring Good Design" paragraphs 60 - 66 are relevant to the consideration of this application.

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 -

CS7: Quality of Design

CS8: Heritage

CS12: Sustainable Neighbourhoods

CS13: Housing Mix, Density and Standards

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:

LQ10 - Conservation Areas

HN5 - Conversions and Sub-divisions

BH3 - Residential and Visitor Amenity

AS1 - General Development Requirements

Holiday Accommodation Supplementary Planning Document (SPD)

New Homes from Old Places Supplementary Planning Document (SPD)

ASSESSMENT

Principle - The proposal will result in a visual improvement to this disused corner retail unit through the conversion of the premises in a sympathetic manner to a two bedroom flat. The proposal is therefore considered to meet with the objectives of the National Planning Policy Framework (NPPF) and those of Local Policies CS7, CS8 and LQ10 from a design and built heritage perspective.

The Council through its planning policies seeks to encourage a mix of high quality housing which improves the offer, particularly in the inner area. The proposed flat has a gross internal floor area of 61.2sqm which meets the minimum requirement in the Government's Housing Technical Standards and therefore it is considered to meet the requirements of Local Planning Policies CS12, CS13, HN5, and the requirements set out in the New Homes from Old Places Supplementary Planning Document.

The site is located in an accessible location and satisfies the requirements of AS1 and BH3 in relation to accessibility. In addition, BH3 is satisfied in relation through minimal impact on the surrounding amenities.

The Holiday Accommodation Supplementary Planning Document seeks to protect existing holiday accommodation in prescribed areas from conversion to inappropriate uses. In this particular case the property has no planning history of ever being used in connection with holiday accommodation and fronts mainly onto Dale Street and therefore the proposal is not considered to conflict with the objectives of this Supplementary Planning Document as no holiday accommodation is being lost as a result of the proposal.

Amenity- The upper floors of the property are occupied as holiday accommodation which is part of the Hawthorne House Guest House. The conversion of the ground floor shop unit into an additional two bedroom flat is unlikely to significantly impact on the amenities of neighbouring properties, indeed given that the previous shop use spilled out onto the footway with displays of goods for sale it is likely that the proposal will actually improve the situation in terms of reducing the impact on neighbours with less visitors to the property and a clear footway.

Clearly, a cause for concern is how the property is managed and future tenants. However, these are not planning considerations and cannot be controlled through the planning process which considers whether the use is appropriate in land use terms. The use of the property as a flat as opposed to a retail unit should result in a reduction in noise and disturbance in the vicinity as well as reduce demand for on street car parking. A condition is recommended in relation to soundproofing the flat. The BS 8233:2014 standard and building regulations will ensure adequate soundproofing is installed, therefore internal sound transmission should be minimal. Obviously, the management of any property is a key component to how it impacts on its neighbours but the planning system cannot regulate landlords or tenants, however separate legislation exists to deal with anti-social behaviour issues should these arise in the future.

Provision has been made for bin storage in the gated alleyway between the subject property and No.24 Dale Street. The proposals indicate a door accessing this alleyway from the proposed flat and this will allow future residents to store waste outside of the flat in a secure place. At present a full wheeled bin refuse collection is not available in the inner area of the town and this means that bin bags are left out for collection which can result in birds and vermin ripping these to gain access to their contents resulting in litter and waste being strewn across the surrounding streets. In this instance, provision has been made for refuse storage to prevent this occurring in this instance.

The kitchen which was originally proposed for the single storey outrigger, which backs onto the yard of the adjoining properties on Bairstow Street, has now been moved to a shared kitchen, lounge and diner at the front of the property and the bathroom is now housed in the outrigger thus alleviating any privacy issues.

Highways – The conversion of the ground floor shop into a flat will reduce the impact in terms of parking demand as deliveries will be reduced.

Design - The elevational alterations proposed are considered to result in a more aesthetically pleasing appearance than the existing solid roller shutters and projecting housing boxes at ground floor level. The windows and door have been designed to replicate the proportions of the existing property and it is considered that these sympathetic alterations to the appearance of the property will positively enhance the conservation area's character.

CONCLUSION

Concern has been expressed about protecting holiday accommodation and the subject property is within a defined holiday accommodation area which is protected. However, in this instance the property is very much on the periphery of the holiday accommodation area as it substantially fronts Dale Street with only a slight return onto Bairstow Street. The character of Dale Street is commercial in nature and differs significantly from that of Bairstow Street which is characterised by guest house and bed and breakfast accommodation. With this in mind and having regard to the fact that the subject property is not used as holiday accommodation, it is considered that there are no overriding material considerations to prevent this change of use as the impact on the use on the holiday accommodation area will be negligible and can be viewed positively by improving the visual appearance of the corner by bring the property back into use. Clearly, the future management of the flat is also an issue to the objectors, but the planning system cannot regulate who owns property and how they manage it, the system merely regulates land use and in this instance the use is considered acceptable.

FINANCIAL BENEFITS

The proposal will not attract any financial contribution.

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 17/0247 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

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 05/04/2017.

Drawings numbered DDDS 102A (23/02/2017), DDDS 103 (29/05/2017).

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 refuse storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Before the premises are first occupied, sound and vibration proofing shall be carried out and thereafter be retained in accordance with BS 8233:2014.

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.

6. No deliveries, external running of plant and equipment or construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

Reason: To safeguard the amenities of nearby properties and the wider locality 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.

7. The flat shall not be occupied until all of the external alterations and the internal layouts and arrangements have been provided in accordance with the plans hereby approved. The layout of the accommodation and arrangements hereby approved shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation accords with the Council's approved Supplementary Planning Document, to safeguard the living conditions of the occupiers of the flats 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 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

1. Advice about the Building Regulations can be obtained from the Planning Department's Building Control Division, either by writing to the address shown above or by telephoning (01253) 476219.
2. Waste Storage and Collection: The Council operates a wheeled bins scheme in accordance with the Environmental Protection Act 1990. The detailed proposal for the development hereby approved will need to include suitable arrangements to allow storage and collection of the bins. Please contact the Council's Waste Management Division Layton Depot, Depot Road, Blackpool, FY3 7HW (tel: 01253 477477) or visit www.blackpool.gov.uk for further advice.
3. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact Council's Streetscene and Property Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477).