

COMMITTEE DATE: [30/08/2017](#)

Application Reference: 17/0340

WARD: Squires Gate

DATE REGISTERED: 15/05/17

LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission

APPLICANT: Ms Kyle

PROPOSAL: Erection of part single / part two storey side/rear extension following demolition of existing conservatory.

LOCATION: 44 STONY HILL AVENUE, BLACKPOOL, FY4 1PR

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Davies

BLACKPOOL COUNCIL PLAN 2015 -2020

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

SUMMARY OF RECOMMENDATION

There are some side windows in the adjoining property at No.42 Stony Hill Avenue which will be impacted by the proposal. The extension has been set off the boundary to mitigate its impact on the amenities of the occupiers of No.42 and it would be rendered and would have a lower ridge line to reduce its impact. As only one window impacted would be the primary window to a habitable room (kitchen window) it is considered that subject to the imposition of appropriate conditions to protect the amenities of the occupiers of the adjoining property (No.42) that planning permission should be granted.

SITE DESCRIPTION

The property is the northern one of a pair of semi-detached two storey dwellings. A conservatory has been added on the boundary with No.46 Stony Hill Avenue, the adjoining semi, at some point in the past although there is no record to indicate when this happened. The conservatory projects 3.3 metres out from the rear of the original dwelling and is joined to a single storey rear wing of

5 metres on the opposite side from the boundary with No.46. The single storey projection appears to have been an original feature of the house as similar projections exist on both No.s 42 and 46 which adjoin either side of the subject property.

DETAILS OF PROPOSAL

The application is for the erection of part single / part two storey side/rear extension following demolition of the existing conservatory. The single storey extension will replace the existing conservatory and will have the same footprint projecting 3.3 metres out from the rear of the original property. The existing single storey element will also be replaced with a two-storey rear/ side extension which will project the same distance from the rear elevation (5 metres) as the existing structure. However, the width of the structure would be increased on the side facing No.42 and would project 1.45m out from the northern elevation of the existing dwelling. The extension would be rendered and would have a lower ridge line than the original house.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle
- Design
- Amenity
- Parking and Servicing Requirements
- Other Issues

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

PUBLICITY AND REPRESENTATIONS

Press notice published: Not Applicable

Site notice displayed: Not Applicable

Neighbours notified: 17 May 2017

One letter of objection has been received from the owners of No.42 Stony Hill Avenue which raises the following concerns:

- The proposal would have an enclosing and oppressive effect, and a diminution of our amenity, with a negative effect on our side windows, in terms of sunshine and light.
- The intention of these properties when they were designed was to leave space between them, and as such we feel the proposed additional extensions are of a disproportionate scale, and not in keeping with the surrounding neighbourhood.
- We request that a Party Wall Award is in place prior to any works commencing.

NATIONAL PLANNING POLICY FRAMEWORK

Core Principle 7 “Requiring Good Design and Amenity” and Paragraphs 56 – 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 policies in the Core Strategy that are most relevant to this application are -

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

Extending Your Home Supplementary Planning Document (SPD).

ASSESSMENT

Principle - The “Extending your Home SPD” states that extensions should be subservient to the original property and incorporate similar design features. In this case the extension would be subservient with a lower ridge line and would have windows of a similar style. It would be rendered and would have similar roofing materials.

The SPD also states that on the boundary between two properties a two storey extension should not exceed a projection of 1.5 metres. It should then be pulled back 1 metre from the boundary for every 0.5 metres of additional projection over 1.5 metres. In this particular case the two-storey extension would be set 4 metres in from the boundary with the adjoining semi (No.46) which would permit a 3.5 metre projection. The proposal envisages a 5 metre two storey projection, however, it is important to bear in mind the relationship of the subject property to the adjoining house as it is situated due north which means there would be no impact from the extension in term of loss of daylight. In terms of the relationship with No. 42 to the north there would be a similar separation distance (about 3.8 metres) and hence the guidance would permit a 3.5 metre projection here as well. The actual projection would be 5 metres. In mitigation the extension would have a lower roof line that the original house and would be rendered to reflect light.

Design - The proposal is subservient to the main dwelling and accords with the guidance contained in the "Extending Your Home" Supplementary Planning Document. There are therefore no significant design issues in relation to the proposal.

Amenity - The subject property is situated on the northern side of No.46 the adjoining semi. Therefore the proposal will not impact on sunlight and daylight to this property due to its orientation. The nearest window on the rear elevation of No.42 is a bathroom window with opaque glazing and two of the windows on the side elevation of this property are small secondary openers and a decorative feature window to the staircase. There is however a kitchen window on this side elevation. Therefore there is one main habitable room window which would be impacted by the proposal. In mitigation the extension would have a lower roof line than the original house and would be rendered to reflect light. To ensure that the extension does not prejudice the future prospects of an extension to No.42 a condition is recommended in relation to the glazing in the north elevation of the extension being opaque.

Parking and Servicing Arrangements - The front garden area of the subject property is fully paved over and provides off street car parking for a minimum of three vehicles so the extension would not prejudice parking provision at the property.

Other Issues - The Party Wall Act is a separate piece of legislation which relates to agreeing works on a shared wall between the two property owners. This is not a planning consideration and in this particular case as no work is taking place on the actual boundary a party wall agreement will not be necessary. The applicant was approached about changes to the application but wishes the application to be determined as submitted.

CONCLUSION

Concern has been expressed in relation to the impact of the extension on the side windows at No.42. The proposed extension has been set 0.75metres in from the side boundary with No.42 and it is proposed to impose a condition requiring opaque glazing in windows on the side elevation to protect the amenities of the adjoining neighbours. Whilst No.42 does have a side window to a kitchen which overlooks the subject property, the extension would be rendered and would have a lower ridge line to reduce its impact. Having regard to all these factors it is considered that on balance the proposal is acceptable subject to the imposition of appropriate conditions.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Not Applicable

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 17/0340 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 received by the Council on 15/05/2017

Drawing numbered B/17/50/01 - Rev A received by the Council on 01/06/2017

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

3. The render and roof tiles to be used on the extension hereby approved shall be the same colour, texture and design as those on the existing dwelling, unless otherwise agreed in writing by the Council as Local Planning Authority before the development commences.

Reason: In the interests of appearance of the locality, in accordance with Policies LQ1 and LQ14 of the Blackpool Local Plan 2001 - 2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. All glazing to the north elevation of the extension adjacent to the boundary with 42 Stony Hill Avenue shall be at all times obscure glazed and fixed permanently closed.

Reason: To safeguard the living conditions of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ14 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.
2. 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.