

COMMITTEE DATE: [26/09/2017](#)

Application Reference: 17/0239

WARD: Hawes Side

DATE REGISTERED: 26/05/17

LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission

APPLICANT: Mr K Barratt

PROPOSAL: Erection of a detached dwellinghouse and detached garage, with access from Harcourt Road.

LOCATION: LAND AT THE REAR OF 46 HARCOURT ROAD, BLACKPOOL, FY4 3HW

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Shaw

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 application site is considered to be large enough to satisfactorily accommodate a detached dormer bungalow with detached garage and has its own access onto Harcourt Road and the application is therefore recommended for a conditional approval.

SITE DESCRIPTION

The application site measures 24 metres x 21 metres bounded by residential property fronting Harcourt Road, Powell Avenue and Marton Drive with a 2.9 metres wide access from Harcourt Road located close to its junction with Marton Drive. The site is currently undeveloped and is being used partly for storage purposes. There is an electricity sub-station to the west of the site utilising the same access and a power cable is understood to cross the site acting as a constraint as to where any proposed dwelling can be positioned.

DETAILS OF PROPOSAL

Detailed application for the erection of a detached three bedroom dormer bungalow, a detached garage and associated turning area. The bungalow measures 12.5 metres x 6.8

metres and has a maximum height of 5.5 metres with dormer windows on the front and rear elevations. The elevations will be rendered with a tiled pitched roof. Due to the relatively close proximity of the proposed dwelling to the rear boundary closest to dwellings on Powell Avenue it is considered that the rear first floor dormer windows should be obscure glazed and fixed shut in order to protect privacy and prevent overlooking.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Development
- Design and Scale of the Development
- Impact on Residential Amenity
- Highway Safety, Access and Car Parking

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

CONSULTATIONS

No representations have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

PUBLICITY AND REPRESENTATIONS

Site notice posted: 2 June 17

Neighbours notified on 31 May 2017- Two letters of objection have been received from 52 and 54 Harcourt Road on the following grounds:-

- There must have been a reason why this land has not previously been developed
- It is difficult to assess from the plans what the house looks like
- Concern regarding impact of the building works
- The wall surrounding the site is unstable
- The site is an eyesore and a dumping ground
- There are several large trees bounding the site which are a local habitat for birds and wildlife
- The proposal may affect the structural stability of adjoining property
- The land does not seem large enough for a three bed property
- There will overlooking problems and the proposal will also affect property values

NATIONAL PLANNING POLICY FRAMEWORK

There is a presumption in favour of sustainable development; which has three strands - economic, social and environmental, which are mutually dependent. Paragraph 6 of the National Planning Policy Framework (NPPF) confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment.

Amongst other things, this includes replacing poor design with better design, and widening the choice of high quality homes.

Paragraph 14 makes clear that at the heart of the NPPF there is a presumption in favour of sustainable development, which is the 'golden thread' running through both plan-making and decision-taking. This means:

- (i) local planning authorities (LPAs) should positively seek opportunities to meet the development needs of their area;
- (ii) Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change;
- (iii) approving development proposals that accord with the development plan without delay; and
- (iv) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 17 of the NPPF sets out 12 core planning principles, stating that amongst other things planning should:

- proactively drive and support sustainable economic development to deliver the homes...and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and
- encourage the effective use of land by reusing land that has been previously developed.

Paragraph 49 of the NPPF makes clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 50 goes on to state that LPAs should deliver a wide choice of high quality homes, widen opportunities for home ownership, and create sustainable, inclusive and mixed communities.

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:

CS1: Strategic Location of Development
CS2: Housing Provision
CS7: Quality of Design
CS10: Sustainable Design and Renewable and Low Carbon Energy
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:

LQ1-Lifting the quality of design

LQ2-Site Context

LQ4-Building Design

LQ6-Landscape Design & Biodiversity

AS1-General Development Requirements

BH3-Residential and Visitor Amenity

BH4-Public Health and Safety

HN4- Windfall sites

also relevant are the National Technical Housing Standards

ASSESSMENT

Principle of Development- the application site is unallocated on the Local Plan Proposals Map which generally means there is not a presumption against a development in principle and the acceptability of any proposal will be assessed against the details provided. The relevant details here include adequacy of site access, car parking/ turning area, the siting, design and appearance of the dwelling and its impact on the amenities of the occupiers of adjoining property. The impact on property values is not a matter for consideration here and trees adjoining the southern site boundary have recently been lopped to allow more natural light onto the site and are outside the site.

Design and Scale of the Development - with the proposed dwelling being detached and set within its own grounds the proposal does not have to particularly relate surrounding properties and there is scope therefore for it to be an individual design. However, the design is fairly functional and typical of many dormer bungalows built throughout Blackpool over the past 30-40 years. It will have rendered external walls and a pitched tiled roof with three pitched roof dormer windows on the front elevation and a large flat roof dormer window on the rear elevation. The bungalow has effectively been designed to be single aspect i.e.: all main windows are on the front elevation given the relatively close proximity to the rear boundary.

Impact on Residential Amenity - without the constraint of the power cable running across the site which has a one metre exclusion zone the proposed dwelling would have been positioned more centrally within the site rather than being 2.8 metres from the rear boundary. However, notwithstanding this matter, the proposed dwelling is still considered to be an acceptable development of the site and will not adversely affect adjoining residential amenity subject to the rear dormer windows being obscurely glazed and the glazing fixed shut. Dwellings to the south on Powell Avenue are 15 metres from the rear boundary which is considered reasonable separation distance from the application site. The proposal is therefore considered to be in accordance with Policy BH3 of the Local Plan. A number of other matters including a construction management plan, drainage and a desktop study to ensure the safe and satisfactory development of the site will be dealt with by condition.

The existing site is something of an eyesore and has also been the subject of a complaint regarding its current use. The proposal represents an opportunity to bring the site into a beneficial use and tidy up the site and will provide a spacious family home set within its own grounds.

Highway Safety, Access and Car Parking - the site access is 2.9 metres wide and 20 metres in length and will serve solely the proposed dwelling although there is also an electricity sub-station requiring maintenance access. Given that the access will serve only the one dwelling and there is ample space for car parking and turning within the site the proposal is considered acceptable on the issues of highway safety, access and car parking and in accordance with Policy AS1 of the Local Plan. The length of the access road also means that putting the refuse bins out for emptying will not be a problem. The treatment of the access and its lighting to facilitate the additional and more regular use of the access will be dealt with via condition.

CONCLUSION

The proposal as amended and with the appropriate conditions and restrictions attached is considered to accord with relevant local and national policy and guidance and the proposal is therefore recommended for approval.

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

<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 26th May 2017
Drawings numbered C17-419/1B, C17-419/2B, C17-419/3

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. 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no enlargement of the dwelling/s the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

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. All glazing to the rear dormer window 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.

7. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of construction traffic.

The construction of the development shall then proceed in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area 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.

8. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for onsite contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Prior to the development hereby approved being first occupied a scheme of works to the site access from Harcourt Road, including provision of lighting and re-surfacing, shall be carried out in accordance with details to be submitted to and agreed in writing with the Local Planning Authority.

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

10. Prior to the commencement of any development, details of the surface and foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. The building shall not be occupied until the approved drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Reason: To secure proper drainage and to reduce the risk of flooding & pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy CS9 of the Core Strategy.

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.