

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

**Application Reference:** 17/0456

**WARD:** Bispham

**DATE REGISTERED:** 17/07/17

**LOCAL PLAN ALLOCATION:** No Specific Allocation

**APPLICATION TYPE:** Full Planning Permission

**APPLICANT:** Mrs A Bennett

**PROPOSAL:** Erection of first floor rear extension to form bedroom and bathroom, installation of french doors to ground floor rear elevation and installation of four windows on side elevation.

**LOCATION:** 102 QUEENS PROMENADE, BLACKPOOL, FY2 9NS

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**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.

#### **SUMMARY OF RECOMMENDATION**

The proposal is for a relatively minor infill extension at first floor level which will create an additional bedroom and bathroom. Concern has been expressed about overlooking and loss of privacy by adjoining neighbours and amendments have been sought to address these concerns. The windows in the first floor extension have now been reorientated to face away from the adjoining properties and the proposal is now considered acceptable and accordingly it is recommended that planning permission be granted subject to appropriate conditions.

#### **INTRODUCTION**

The property was previously extended in the late 1980s following the granting of planning permission reference 87/0928 for ground and first floor extensions to form additional holiday accommodation.

A sunlounge and a roof lift to the front have also been added at some point but records do not indicate when these alterations and additions took place.

## **DESCRIPTION**

The site is not within a Main Holiday Accommodation Area as defined in the Holiday Accommodation Supplementary Planning Document (SPD).

The property is a semi-detached property in use as a guest house. It has previously been extended with the addition of a ground floor and first floor rear extension to form additional holiday accommodation in the late 1980s.

The other half of the adjoining semi which is a corner plot to Wolverton Avenue has been substantially extended on the boundary with the subject property and the proposed extension will infill the first floor void over the existing ground floor extension and the three/four storey blank elevation of 1 Wolverton Avenue which has a half hipped roof with the higher point being on the boundary with the subject property.

## **DETAILS OF PROPOSAL**

The proposal is for a first floor rear extension to an existing guest house to provide additional holiday accommodation in the form of one additional bedroom and an accessible bathroom. It would also involve internal improvements to the existing accommodation in the property.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle
- Design
- Amenity
- Highways

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

## **PUBLICITY AND REPRESENTATIONS**

Neighbours notified: 25 July 2017

Three letters of objection have been received from 104 Queens Promenade, 104-106 Queens Promenade and 3 Wolverton Avenue in relation to the proposal the reasons for objecting can be summarised as follows:

- Overlooking
- Loss of Privacy
- Overdevelopment

## **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) states that there is presumption in favour of sustainable development where approving development proposals that accord with the development plan and 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, when assessed against the policies in the NPPF taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

Of particular relevance to this proposal are paragraph 17 and Core Principle 7 “Requiring Good Design – 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:** New development should ensure that the amenities of nearby neighbours and potential occupiers are not adversely affected. Development will not be permitted that causes unacceptable effects by reason of noise or any other adverse local impact on local character or amenity.

## **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  
LQ14 - Alterations and Extensions  
BH3 - Residential and Visitor Amenity  
AS1- General Highway Requirements

## **ASSESSMENT**

**Principle** - In policy terms the proposal as amended now satisfies the policy requirements of the development plan and accords with the principles of the 'Extending your Home Supplementary Planning Document'. The windows at first floor level have been reorientated to face away from the adjoining properties and as such there is no longer the prospect of overlooking of existing habitable room windows in these properties.

**Design** - The proposal consists of a first floor infill extension to the rear of the property which will only be visible through the alley gate on Lowther Avenue from the street. The extension itself will have a pitched roof and will be constructed in materials to match the existing property. It is considered that design is in keeping with the existing property and has been designed to be sympathetic to its surroundings.

**Amenity** - Concerns have been raised about overlooking and the loss of privacy as a result of the proposed extension. To help address these issues negotiations have taken place to secure some changes to the proposals which results in the windows being reorientated so that they face away from the objectors' properties. This will mean that direct overlooking is avoided and the existing privacy adjoining residents currently enjoy is maintained.

Objectors have also raised concerns regarding overlooking of gardens. In this particular case the windows have been reorientated and this will hopefully assist somewhat in relation to the concern of overlooking gardens, but these windows will be no closer than the windows of the adjoining property at 3 Wolverton Avenue which face directly across the rear gardens. It should also be borne in mind that there are a substantial number of outbuildings/garage to the rear of these properties in the rear garden areas, so it is not particularly open in term of its aspect.

**Highways** - the addition of one bedroom is not considered detrimental to highway safety.

## **CONCLUSION**

The design has been amended at the request of officers so that the bedroom windows are now positioned on an oblique angle facing away from the objectors properties, therefore no overlooking or loss of privacy will occur as a result of the proposal. With this in mind, the proposal is now considered acceptable and it is recommended that planning permission be granted subject to 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 17/0456 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 30th June 2017

Drawings numbered 102-02, 102-03, 102-04

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

3. The external brickwork/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/building, 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.

## **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.