

COMMITTEE DATE: 18/09/2018

Application Reference: 18/0436

WARD: Tyldesley
DATE REGISTERED: 22/06/18
LOCAL PLAN ALLOCATION: Main local centre
Local centre

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mr Shaw

PROPOSAL: Erection of two storey rear extension and formation of vehicle crossing to Waterloo Road.

LOCATION: 420 WATERLOO ROAD, BLACKPOOL, FY4 4BL

Summary of Recommendation: Refuse

CASE OFFICER

Pippa Greenway

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool but conflicts with policies in the Blackpool Local Plan Part 1 Core Strategy 2012-2027 and Blackpool Local Plan 2001-2016

SUMMARY OF RECOMMENDATION

The scheme would support growth of the business and would have benefits to disadvantaged members of the wider community. However it would have adverse impacts on the closest neighbours in terms of loss of light and overdominance. On balance, it is considered that the adverse environmental impacts on the neighbours outweigh the economic and social benefits. The proposal is not sufficiently different from the scheme refused last year to merit a change of recommendation. On this basis, the current submission is not considered to represent sustainable development and is recommended for refusal.

INTRODUCTION

Blackpool Music Academy CIC, is the owner of 420 Waterloo Road and is the trading arm for the Blackpool Music School charity. All moneys made from rentals, coffee shop etc. goes into the charity, as support to give free tuition to the community, making music affordable for all. Blackpool Music School was originally granted planning permission on this site in 2009 (ref. 09/0153). In the following year, permission was granted (ref. 10/0030) for the "Erection of single storey rear extension, new side entrance with access ramp, 2 parking spaces to side and use of premises as altered as a shop, cafe and music school." A subsequent application in

2017 (ref. 17/0270) for "Erection of a two storey rear extension following demolition of existing extension" was refused because of the height and impact on neighbours' amenity; and a further application was submitted (ref 17/0626) for "Erection of single storey rear extension, formation of vehicle crossing to Waterloo Road and temporary siting of cabin to front hardstanding area for a period of 12 months" was withdrawn by the applicant, immediately prior to it be determined by Committee. A portable cabin was then granted permission until 31 December 2018, whilst the 2010 extension is completed. The current application is a resubmission of the 2017 refusal (with a few minor alterations) and the retention of the forecourt parking to the front, with a full width footpath crossing (dropped kerb).

SITE DESCRIPTION

The property is two storey end of terrace building, with a third floor in the front and rear dormers/wing, it is traditional in design and constructed with traditional materials with a part brick/part rendered finish. It is located at the junction of Waterloo Road (a classified road and bus route) with Kirkstall Avenue and there is no vehicular access between the two roads. There are parking spaces across the Waterloo Road frontage of the premises and disability parking spaces on the Kirkstall Avenue frontage. The property is in use as Blackpool Music Academy, with a café on the Kirkstall Avenue side and a radio station in a portable cabin towards the front of the site, beside the side, glazed window of the former shop. A single storey extension is under construction to the rear, to eventually house the radio station. The block is primarily commercial in nature, although the attached property is a house and is part of a Local Centre . A discount carpet warehouse and Oxford Square Aldi are visible at the end of the rear alley, which is also a cul-de-sac.

DETAILS OF PROPOSAL

The proposal is for the erection of a two storey rear extension, the ground floor of which is currently under construction by reason of the 2010 permission. The ground floor would be a tuition room and the first floor would comprise a WC, office and studio for the radio station. The studio would link through into the main building at first floor level. The 2010 approval showed the front area as landscape/planted and a condition was imposed for a dwarf wall to be erected prior to commencement. This has not been done and proposal shows the forecourt to Waterloo Road is to be retained as parking across the full width, with a dropped kerb. There is a discrepancy between the side and rear elevations but it is not considered material to the consideration of the scheme as it could be addressed if the Planning Committee was minded to approve the scheme.

A two storey rear extension was refused last year for the following reasons:

- 1 The proposed side/rear extension would have a significantly detrimental impact on the residential amenities of the adjoining occupants at 422, 424 Waterloo Road and 2 Kirkstall Avenue by virtue of its proposed height, massing and close proximity to the common boundary resulting in an overbearing impact, loss of natural light and loss of outlook. As such it would be contrary to paragraph 17 of the National Planning Policy Framework, Policies LQ14 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 2 The proposed extension would be overly dominant and out of character within the Kirkstall Avenue streetscene due to its proposed massing and the proposed location of the extension at the back edge of the rear alley. As such it would be contrary to paragraphs 17 and 56-64 of the National Planning Policy Framework, Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

The current proposal attempts to overcome those reasons for refusal.

In support of the proposal, the agent states "Blackpool Music School is a registered charity and a much-needed service to the Fylde Coast, it offers an opportunity for disadvantaged people across the community to participate and benefit from music tuition. It offers support for the elderly, those suffering from isolation or mild physical and mental health problems. Music students are requesting for more space and this will allow for the service to be extended in terms of numbers."

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the amenity of neighbours in terms of loss of light and overdominance
- the design and appearance in the streetscene

This will be discussed in the assessment section of this report.

CONSULTATIONS

N/A

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 28 June 2018

Neighbours notified: 28 June 2018

Eight objections have been received from 418, 422 and 430-432 Waterloo Road and 2 Kirkstall Avenue.

In addition, 34 letters of support have been received.

In summary, the objections relate to:

- loss of light
- overbearing impact
- late night noise and disturbance from both the music rooms and radio station
- lack of parking
- cars being parked inconsiderately, noise from car doors banging
- feels like a business estate rather than a residential area

NATIONAL PLANNING POLICY FRAMEWORK

The Revised National Planning Policy Framework (NPPF) published 24 July 2018 states that the purpose of the planning system is to contribute towards sustainable development. There

are three overarching objectives to sustainable development which are interdependent and need to be pursued in mutually supportive ways: economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

Para 10 makes it clear that at the heart of the Framework is a **presumption in favour of sustainable development**.

Other relevant paragraphs are contained within:

Chapter 8. Promoting healthy and safe communities

Chapter 12. Achieving well-designed places.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The NPPG expands upon and offers clarity on the points of policy set out in the NPPF. For the purpose of this application the section on design is most relevant.

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

CS12 Sustainable Neighbourhoods

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 Extensions and Alteration

BH3 Residential and Visitor Amenity

LQ1 Highways and Parking

ASSESSMENT

Principle

An extension to an existing business is appropriate in principle within this Local Centre.

Amenity

The proposal is to replace the pitched roof “garage” (recording studio) and rear yard with a two storey extension, with a pitched roof. The extension would project from the existing two storey rear wing as far as the rear alley and would be on the same plane as the Kirkstall

Avenue elevation, but with a lower roof (by setting it in slightly from the shared boundary on the other side and decreasing the room heights). The extension would far exceed the "Extending your home" Supplementary Planning Document limits of 1.5 m projection for first floor rear extensions as it projects for 8.5 m adjacent to the shared boundary with the adjoining house.

The agent comments "In reference to 17/0270, our design incorporates a less dominant height and less intrusive proposal to loss of light. Our rear elevation indicates that the roof profile of the extension now, does not infringe the window to No 422 Waterloo Road. Also, we wish to point out that the proximity of the extension is no different to the rear buildings which already exist."

The ridge line is marginally lower (by about 0.4m) than that refused last year, but the length remains the same.

Although the Supplementary Planning Document is not directly relevant as the application property is commercial, there is residential living accommodation at the first floor rear in the adjacent property (442), which would be faced with a massive wall at the first floor level. The residential neighbours at 422 Waterloo Road have covered about 75% of their backyard to provide a dry area for the children's bikes, so the amount of natural light reaching their ground floor lounge is already reduced. The projection of the proposed first floor along the full length of the yard would significantly affect their amenities in terms of light loss and overdominance and would also impact on the property at 424 because of its length (although 424 has a covered yard at the rear, it would still impact adversely on their first floor rear windows). As the extension would be to the west, it would particularly impact in the evenings when people are more likely to use the rear of their properties. The proposed two storey extension is gable ended (rather than a hip) which, being on the boundary with the rear alley, results in it "closing down" the back street. It would also adversely impact on light reaching the first floor side windows of 2 Kirkstall Avenue.

There are other large extensions in the rear alley, but they do not have the same impact due to their relationship with other properties.

It is not considered that noise from the studio would be an issue as, if approval was forthcoming, a condition could be imposed requiring a noise survey and mitigation measures, together with the rooflights to be permanently fixed closed. The access into the extension would be from the back street, which would also result in more noise, but again this could be designed out by restricting it to a fire exit only.

Design

The agent states "We are of the opinion that the extension improves the street scene to Kirkstall Avenue due to the removal of the unattractive/random buildings that are currently at the rear and the replacement with the extension which is designed to be sympathetic to the main building."

Although the design is an improvement on that refused in 2017, the gable end on the back edge of the rear alley is still unacceptable as it would adversely impact on the open character of the street.

Highway Safety and Parking

Additional parking is proposed in the form of the retained open forecourt to Waterloo Road and is not considered to be a significant issue. The full width dropped kerb was considered satisfactory to the Head of Highways and Traffic Management when this issue was raised last year.

CONCLUSION

Sustainability comprises economic, environmental and social components. The scheme would have some economic benefits in that it would support growth of the business.

Environmentally, the height of the extension would have visual impact in the street and impact on the residential neighbours through loss of light and overdominance and this weighs against the proposal. No unacceptable amenity impacts are expected in terms of highway safety. Socially, the proposal would have benefits in that it would be for a charity which includes music tuition and other services including to disadvantaged members of the community. The considerable support from the wider community weighs in favour of the scheme. On balance however, it is considered that the adverse environmental impacts on the neighbours outweigh the economic and social benefits. The proposal is not sufficiently different from that refused last year to merit a change of recommendation. On this basis, the scheme is considered to not represent sustainable development and planning permission should be refused.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Not applicable.

FINANCIAL BENEFITS

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 Files 18/0436, 18/0199, 17/0626, 17/0270, 10/0030 & 09/0153, which can be accessed via the link here: <http://idoxpa.blackpool.gov.uk/online-applications/search.doaction=weeklyList>

Recommended Decision: Refuse

Conditions and Reasons

1. Notwithstanding the discrepancies between the proposed side and rear elevations, the proposed side/rear extension would have a significantly detrimental impact on the residential amenities of the adjoining occupants at 422, 424 Waterloo Road and 2 Kirkstall Avenue by virtue of its proposed height, massing and close proximity to the common boundary resulting in an overbearing impact, loss of natural light and loss of outlook. As such it would be contrary to para 127 of the National Planning Policy Framework, Policies LQ14 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.
2. The proposed extension would be overly dominant and out of character within the Kirkstall Avenue streetscene due to its proposed massing and the proposed location of the extension at the back edge of the rear alley. As such it would be contrary to para 127 of the National Planning Policy Framework, Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

3. ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 38)

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, which justify refusal.

Advice Notes to Developer

Not applicable