

COMMITTEE DATE: 16/10/18

Application Reference: **18/0599**

WARD: Bispham
DATE REGISTERED: 28/08/18
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mr McLoughney

PROPOSAL: Erection of single storey rear extensions to form orangery and 6 bedrooms and internal alterations to increase overall number of bedrooms from 17 to 25(amendment to orangery approved under planning permission 17/0406)

LOCATION: 502 DEVONSHIRE ROAD, BLACKPOOL, FY2 0JR

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr G Johnston

BLACKPOOL COUNCIL PLAN 2015 -2020

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

SUMMARY OF RECOMMENDATION

This application is for an enlargement of an extension already approved for an established care home (17/0406 refers). Whilst it is recognised that the property was built as a house in common with the other properties which form a cluster on the western side of Devonshire Road it has a large rear garden area and is set on a wide plot. The original application was amended to seek to balance the needs of improving the care home whilst respecting the amenities of the neighbouring residents. On balance it is considered that the revised proposal accords with paragraph 127 of the National Planning Policy Framework (NPPF), Policy CS7 of the Core Strategy and Policies AS1, LQ14 and BH3 of the Local Plan.

INTRODUCTION

Members may recall that they approved an application for extensions to this care home at the meeting on 20 March 2018 (17/0406 refers). This application is for an amendment to the approved extensions to enlarge the orangery element of the approved extensions by the

addition of a 4.5 metres deep by 3 metres wide projection towards 504 Devonshire Road. The side elevation facing 504 Devonshire Road would be obscure glazed and it would be inset between 0.9 metre and 1.8 metres from the side boundary. The applicant has been asked to inset the extension to move it further from the boundary but for constructional reasons this cannot be done.

SITE DESCRIPTION

The property is within an established residential area, but it does not have any allocation on the Local Plan Proposals Map. There is a cluster of properties on the western side of Devonshire Road and they are surrounded by North Shore Golf Course to the rear. The property is a large two storey detached property set in a large garden area with a car parking area to the front and side. The property is currently used as a residential care home for the elderly (Class C2) with 17 bedrooms. The property has previously been extended in the late 1980's shortly after its current use commenced. The site is set below the level of Devonshire Road with the land sloping down from the golf course to the rear in a north easterly direction.

DETAILS OF PROPOSAL

The original proposal was to carry out internal alterations to the property including extensions to provide additional bed space capacity thus increasing the number of residents from 20 to 25. The proposals consist of squaring off the south west corner of the property and a rear extension from the rear elevation of the property which would be inset between approximately 3.8 metres and 4.8 metres from the boundary with No. 504 Devonshire Road (previously the extension was shown as being between 1 metre and 2.5 metres from the boundary with No. 504 Devonshire Road). The extension would take the form of a glazed dining room extension/ orangery and a single storey wing which would project into the rear garden and provide a seating area off the dining room and four bedrooms. The single storey extension would have a shallow monopitched green roof which would slope away from the neighbour's property at No. 504 Devonshire Road. This application differs from the already approved application in that it proposes a larger glazed dining room extension/ orangery extension and this would be achieved by extending towards 504 Devonshire Road (the additional floorspace would measure 4.5 metres x 3 metres and it would be set 0.9 metre and 1.8 metres off the boundary with No. 504 Devonshire Road.

An additional area of car parking would be provided to the south of the existing property. Members will recall that various options for the extensions were considered by the applicant following the deferral of application 17/0406 and the approved scheme was deemed to be the best compromise in terms of meeting the requirements of the home whilst respecting the amenities of the occupiers of No. 504 Devonshire Road.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- **Principle**

- **Design**
- **Amenity**
- **Highway Safety**
- **Parking and Servicing Arrangements**
- **Other Issues**

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

CONSULTATIONS

Head of Highways and Traffic Management - No objections.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 30 August 2018

Neighbours notified: 28 August 2018

One letter of objection has been received on behalf of the owner of 504 Devonshire Road:

The current application is apparently a variation of the previously approved application reference 17/0406. Our client objected to the previous proposals for reasons set out in previous letters of objection.

However, our client accepts that as a result of planning consent 17/0406 planning permission already exists for an extension of a similar size to that which is the subject of this objection (but with a significant addition). So, although our client continues to believe that issues such as access and car parking are likely to be problematic, this letter concentrates upon the differences between the approved extension and the currently proposed extension, but set against the background of the already extensive additions made to this property.

In particular our client previously objected to earlier proposals for the extension of this property on the basis of the effect on amenity, but in the end did not press this objection so long as the proposal remained away from his boundary. That was the case with the previous, approved, application which remained at least 3.4 m away from the boundary.

However, the current application includes an additional extension which approaches our client's boundary closely.

For ease a plan has been prepared, and attached to this letter which deals with the way in which this property has been developed over the years. It is important to understand this so that the latest proposal can be understood in context. Looking at the plan, the following sequence of extensions can be understood as follows:

yellow: represents the original property

pink: represents an extension in 1987 or thereabouts

green: represents the approval pursuant to application 17/0406

blue: represents the additional extension now being requested

The plan referred to above and an aerial photograph attached to the letter are appended to this report at Appendices 12(a) and 12(b).

It is the cumulative effect of the proposals that must be understood before the acceptability of the extension proposed for the area shaded blue is judged.

In essence the original property has been extended, or is proposed to be extended by some 247% (the pink and green areas in relation to the yellow area). Whereas the blue area is a relatively small area of proposed additional extension, it is, in reality, a part of a much larger series of extensions. It also has a particularly detrimental effect on our client because it brings the side wall of the latest proposals much closer to his boundary. In effect it is an integral part of the very large green extension, and its particular position makes it a very damaging part from our client's point of view. In particular it extends the building, in close proximity to the boundary, by some 4.4 metres.

Our client has also gone to the trouble of obtaining aerial photographs of the rear garden of the application property, and it can be seen that the foundations of a large extension have already been put in place. This includes the foundation of the blue shaded area as above which does not have planning permission. Putting aside the breach of planning control which this represents, this means that the effect of the extension can be more easily appreciated on the ground. This clearly shows how this new part of the proposal extends the development in close proximity to the joint boundary in an unacceptable way, and this is particularly important when judged with the extremely high level of extension previously erected and permitted (and indeed now being constructed).

Conclusion - A proper examination of this property, including the extension currently being constructed, shows that there is a very high level of site coverage, and the area coloured blue on the plan attached is not only objectionable in itself, but must be seen against the background of the extremely extensive footprint of the property which is currently undergoing further extension. In other words, it is not only the blue area of extension that is objectionable in itself, but the cumulative effect taken with the other extensions to this property. As such our client respectfully requests that the application be refused. The hardsurfacing constructed between the approved rear extension and the boundary with 504 could be used as a patio area and would not in itself require planning permission.

NATIONAL PLANNING POLICY FRAMEWORK

The revised NPPF retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are

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- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport

- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 15 - Conserving and enhancing the natural environment

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan Part 1: Core Strategy was adopted by the Council in January 2016. The policy in the Core Strategy that is most relevant to this application is -

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

BH3 – Residential and Visitor Amenity

BH24 - Residential Institutions and Community Care Residential Use

AS1 - General Development Requirements

Supplementary Planning Guidance 9: Residential Institutions.

ASSESSMENT

Principle - There is currently no specific policy relating to the extension of an existing care home and hence the principles of Policy BH24 could be considered when assessing applications for extensions to existing homes. Policy BH24 has five criteria and it is considered that three of these are relevant in this case -

- type of use applied for
- intensity of use and its effect on adjacent occupiers
- suitability of the premises and location

The proposals relate to a care home with 14 single bedrooms and 3 double bedrooms. The proposal is create 25 ensuite bedrooms. The home has a good rating from the Care Quality Commission (CQC) and hence there is a social benefit in providing additional rooms at the home. Whilst the property was built as a house it is situated on a large plot (as are the neighbouring properties) and hence the principle of extending the home is acceptable

subject to design, amenity and parking considerations which are discussed in other parts of this assessment. In the case of the current application it is the principle of a 4.5 metres x 3 metres extension to the scheme already approved under planning application 17/0406.

Design - the single storey extensions approved would be subservient to the existing home as would be the proposed addition to the approved extensions. In essence the addition to the approved extension would transform it from a reverse L shape to a T shape. The extension to the south west corner of the home would replicate the existing lean to type extension to the home. The projecting rear extension would take a different form in that it would have a very shallow sloping green roof which pays homage to the setting of the home adjacent to the golf course to the rear. The slope would be away from the neighbour at No. 504 Devonshire Road to the north and the eaves would be just below the eaves of the existing gable of the two storey extension at the rear of the home. It is proposed to have a glazed element to link the existing with the new and then a rendered facade to reduce the bulk of the extension. It is considered that the proposals meet the requirements of paragraph 127 and section 5 of the NPPF, Policy CS7 of the Core Strategy and Policy LQ14 of the Local Plan.

Amenity- the amended approved scheme sought to reduce the impact of the proposals on the amenities of the occupiers of No.s 500 and 504 Devonshire Road. The omission of the first floor element at the rear which would have been close to No. 500 Devonshire Road means that the single storey extension adjacent to 500 Devonshire Road would not have a significant impact on the amenities of the occupiers of this property. It would be approximately 2.5 metres from the boundary at its nearest point and being to the north of No. 500 Devonshire Road it would not have any shading issues.

The amendments to the originally approved extension adjacent to No. 504 Devonshire Road sought to reduce the impact on the amenities of the occupiers of this property. It is acknowledged that the approved extension is long at 19.6 metres in length but its height and design were altered in an attempt to reduce its bulk and the potential for shading of No. 504 Devonshire Road's garden and the approved proposal would see it set approximately 3.8 to 4.8 metres away from the boundary with No. 504 Devonshire Road (the previous proposal considered by the Committee was for the extension to be set between 1 metre and 2.5 metres from the boundary with No. 504 Devonshire Road). The current application would add a 4.5 metres x 3 metres extension to what was approved and it would be 0.9 metre -1.8 metres from the boundary with 504 Devonshire Road. The majority of the elevation would be obscure glazed thereby removing any privacy issues. Its height at 2.5 metres would not have a significant impact.

The introduction of a green roof has also sought to reduce the impact on outlook from 504 Devonshire Road. Glazing in the elevation facing No. 504 Devonshire Road would be obscure glazing so there would be no potential for overlooking of No. 504 Devonshire Road. It is recognised that the amended plan in setting the extension away from the boundary with No. 504 Devonshire Road would move it closer to No. 500 Devonshire Road but there would still be a reasonable set off distance from the boundary with No. 500 Devonshire Road - circa 6 metres. In addition the extension would be to the north of No. 500 Devonshire Road and the windows on the elevation facing no 500 would be angled towards the golf course to

the rear. On balance it is considered that the amendments to the scheme meet the requirements of paragraph 127 of the NPPF, Policy CS7 of the Core Strategy and Policy BH3 of the Local Plan.

Highway Safety - the site is lower than Devonshire Road and hence it is not readily apparent whether the parking areas within the site are occupied. The driveway is wide and there is an added benefit in that the distance from Devonshire Road to the drive is greater than normal because of the existence of a grass verge. Visibility at the access is good because of the alignment of Devonshire Road and the wide open and level frontage. It is acknowledged that Devonshire Road is a busy distributor road but cars can enter and leave the site in forward gear. As for larger vehicles - food supplies, laundry etc. these would have to park on Devonshire Road and an ambulance could reverse into the site. The enlargement of the orangery would not impact on the servicing needs for the site.

Parking and Servicing Arrangements - the car parking standards would require a maximum of five car parking spaces (one for every five residents) Two cars can be parked to the north of the existing building, two to the south (in tandem) and two/three on the frontage although the block paved area does not contain marked spaces. There is no dedicated servicing area within the site. Local residents suggest that there is a problem with on street parking although your officers have not witnessed there being a problem. The enlargement of the orangery would not impact on the car parking needs for the site.

Other Issues - the single storey rear extension to the north west corner of the building would be cut into the rear garden area which had been re profiled following a previous extension to the home. The proposal would leave a garden area of some 6 metres wide by 20 metres in length and hence there would be adequate amenity space for a home of this size. The use of a green roof would help reduce surface water run off from the roof of the extension. The potential for the extension to be hit by stray golf balls is not a planning consideration.

CONCLUSION

This application is for an enlargement to an extension already approved for an established care home (17/0406 refers). Whilst it is recognised that the property was built as a house in common with the other properties which form a cluster on the western side of Devonshire Road it has a large rear garden area and is set on a wide plot. The original application was amended to seek to balance the needs of improving the care home whilst respecting the amenities of the neighbouring residents. On balance it is considered that the revised proposal accords with paragraph 127 of the NPPF, Policy CS7 of the Core Strategy and Policies AS1, LQ14 and BH3 of the Local Plan.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Not applicable

FINANCIAL BENEFITS

Additional business rates would be payable but this is not a material planning consideration and has no bearing on the recommendation.

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(s) 17/0406 and 18/0599 which can be accessed via the link below:

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

Recommended Decision: Grant Permission

Conditions and Reasons

1. 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 24/08/2018

Drawings elevations, floor plans and car parking plan received by the Council on 24/08/2018

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

2. 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 the erection of any above ground structures.

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.

3. Prior to the development hereby approved being first brought into use the car parking 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 highway safety, in accordance with Policies LQ1 and AS1 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 northern elevation of the projecting rear extension facing the boundary with 504 Devonshire Road 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.