

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 9 FEBRUARY 2016

### **Present:**

Councillor L Williams (in the Chair)

Councillors

I Coleman	Elmes	Maycock
Critchley	Hutton	Stansfield

### **In Attendance:**

Mr Gary Johnston, Head of Development Management  
Mrs Carmel White, Chief Corporate Solicitor  
Mrs Bernadette Jarvis, Senior Democratic Services Adviser

### **1 DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

### **2 MINUTES OF THE MEETING HELD ON 12 JANUARY 2016**

**Resolved:** That the minutes of the meeting held on 12 January 2016 be signed by the Chairman as a correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED**

The Committee considered a report outlining details of planning and enforcement appeals lodged and determined since the last meeting.

**Resolved:** To note the planning and enforcement appeals lodged and determined.

Background papers: (1) Letter from the Planning Inspectorate dated 8<sup>th</sup> January 2016.  
(2) Letter from the Planning Inspectorate dated 20<sup>th</sup> January 2016.

### **4 PLANNING ENFORCEMENT UPDATE REPORT**

The Committee considered a report summarising planning and enforcement activity within Blackpool during December 2015.

**Resolved:** To note the outcomes of the cases set out in the report and to support the actions of the Service Manager, Public Protection in authorising the notices.

### **5 PLANNING APPLICATION 15/0228 - 6-8 CARLIN GATE**

The Committee considered application 15/0228 for the use of premises as four self contained permanent flats with associated landscaping/car parking and works following demolition of existing rear extensions and alteration to existing garage.

Mr Johnston, Head of Development Management presented the Committee with a brief

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outline of the application and site layout plans for the proposed development. He reminded Members that the Committee, at its last meeting, had agreed to defer consideration of the application until this meeting to allow the Head of Development Management to consider and formulate any conditions which might address the concerns that had been raised by the Committee. Mr Johnston advised that amendments had been made to the wording of proposed conditions 7, 8 and 11 and referred Members to the applicant's agent's response to the amended conditions that had been included in the Update Note.

Mr Johnston confirmed his view that the principle of the conversion as outlined in the application was acceptable. He also considered that the flats would not have a significantly detrimental impact on the amenity of the nearby residents.

Mr Cove, public objector, spoke in objection to the application.

Following invitation by the Chairman, Mr Johnston responded to the objector's disagreement of his interpretation of Policy BH24 by accepting that whilst Policy BH24 did limit the properties for C2 Use to no more than 10%, the clear inference of the Policy was to protect the character and amenities of the street frontage and in his opinion the proposed development would not conflict with this aim.

Several Members also expressed concerns at the potential for the development to be used by residents of the nearby nursing home and requested assurances that if permission was granted for the development that the boundary wall separating the proposed development from 4 Carlin Gate would be retained at its current height and not be breached and that no gates or steps would be provided to allow access between the two properties. Mr Johnston confirmed that a condition to prevent the breach of the boundary wall between the proposed development and 4 Carlin Gate could be imposed should permission be granted and referred Members to suggested condition 11.

**Resolved:** That the application be approved, subject to the conditions contained in the report and an additional condition being imposed to prevent a breach of the boundary wall between 4 and 6 Carlin Gate, for the reasons set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations on the application.

### **6 PLANNING APPLICATION 15/0229 - REAR GARDEN AREA TO 6-8 CARLIN GATE**

The Committee considered application 15/0229 for the use of land as a communal garden in association with existing rest homes at 4 St Stephens Avenue and 4 Carlin Gate following demolition of existing rear extensions at 6-8 Carlin Gate.

Mr Johnston, Head of Development Management presented the Committee with a brief outline of the application and site layout plans for the proposed development. He confirmed his view that the proposed development was in accordance with the intent of Policy BH24 of the Blackpool Local Plan which sought to retain the residential character of the street frontage. He reminded Members that the Committee, at its last meeting, had agreed to defer consideration of the application until this meeting to allow the Head of Development Management to consider and formulate any conditions which might address the concerns that had been raised by the Committee. He advised Members of an

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amendment to condition 5 and a further condition added as Condition 6 and referred to the applicant's agent's response to the amended conditions that had been included in the Update Note. Mr Johnston also referred Members to the response from Environmental Protection regarding complaints relating to the noise from the residents of St Stephens Avenue.

Mr Cove and Mrs Singleton, public objectors, spoke in objection to the application.

The Committee noted the concerns raised by the public objectors which included a conflict with Policy BH24 of the Local Plan, an enlargement of the nursing home and the impact on neighbouring residents. They also noted the objectors' comments relating to numerous complaints made by residents to the Care Quality Commission and the Police regarding the noise from the nursing home. On invitation by the Chairman, Mr Johnston outlined the distances between the application site and neighbouring properties. He reiterated his view that the proposed development would not conflict with Policy BH24 of the Local Plan as its intent was to ensure that care homes would be distributed throughout the Borough to best meet the needs of residents and to retain the residential character of the street frontage.

The Committee considered the merits of the application and the representations made by all parties. It had regard to Mr Johnston's view that the proposed development, if approved, would not impact significantly on the amenities of nearby residents and would retain the character of the street frontage and therefore not conflict with Policies BH24 and BH3 of the Blackpool Local Plan. However, the Committee was satisfied that on balance, and notwithstanding the information provided by Environmental Protection, nearby residents were already impacted by noise generated from the residents of the neighbouring care home and that the proposed development, if approved, would further and significantly increase this impact.

The Committee concluded that the proposed development would conflict with Policies BH24 and BH3 of the Blackpool Local Plan in respect of its impact on the amenities of the nearby residents and that this conflict would outweigh any potential benefits from the development.

**Resolved:** That the application be refused for the reasons set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations on the application.

### **7 PLANNING APPLICATION 15/0394 - 138 STONY HILL AVENUE**

The Committee considered application 15/0394 for the erection of eight two-storey semi detached dwelling houses and one detached bungalow with associated access road, car parking, landscaping and boundary treatment, following demolition of existing building.

Mr Johnston, Head of Development Management presented the Committee with a brief outline of the application and site layout plans for the proposed development. He reported on pre-application discussions with the applicant during which he had suggested that the applicant consult with local residents. He also advised Members that outline planning permission had been granted previously for the redevelopment of the site for six

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houses which had received no objections. Mr Johnston reminded Members that the Committee, at its meeting in December 2015, had deferred consideration of the application following a late submission of comments from the Highways department. He reported on amendments to the scheme that had been made by the applicant since then which included a reduction in the number of properties from 10 to 9 and changes to the design of the properties and a widening of the access road.

Mrs Lavelle, public objector spoke in objection to the application.

Mr Hadwin, the applicant's agent, spoke in favour of the application.

Councillor Humphreys, Ward Councillor, spoke in objection to the application.

The Committee considered the merits of the application and the representations made by all parties. In response to a request from the Chairman, Mr Johnston clarified the distances between the properties in the proposed development to neighbouring properties. He also confirmed that each property would have a driveway which could accommodate two cars with the potential for additional parking spaces if required and as such his view was that the level of parking associated with the development was considered acceptable.

A Member of the Committee raised concerns that the presence of an undercroft between two properties and the principle of building properties to the rear of other properties was not in keeping with the character of the area and represented an overintensive development for the size of the site. Further concerns raised included an increase in parking problems due to the potential number of cars that would result from the properties.

The Committee noted that the existing trees were not the subject of a Tree Preservation Order and therefore any comments relating to their removal were irrelevant to the application and should be disregarded. The Committee also disregarded all claims made surrounding work previously undertaken to trees at the site.

**Resolved:** That the application be refused for the reasons set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations on the application.

### **8 PLANNING APPLICATION 15/0747 - 170 PRESTON NEW ROAD**

The Committee considered application 15/0747 for the erection of residential development in the rear garden of 170 Preston New Road.

Mr Johnston, Head of Development Management presented the Committee with a brief outline of the application and site layout plans for the proposed development. He advised Members that the principle of developing the site for residential purposes had been established in the past but that the planning permission had since lapsed. A recent application for 13 dwellings had been withdrawn prior to Committee following a recommendation for refusal and as a result the applicant had submitted a subsequent outline application which sought to re-establish the principle of residential development

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on the site. Mr Johnston advised the Committee that the property was a locally listed building and contained a number of trees which were the subject of a Tree Preservation Order, although permission had been given for some of the trees to be removed and re-planted. He confirmed that the layout and number of properties would be dealt with at Reserved Matters stage.

A Member of Committee voiced the concerns raised by residents of Carson Road regarding the potential impact of any proposed development, particularly in relation to increased highway and parking issues. Other Committee Members raised similar concerns although it was accepted that these issues could be dealt with at Reserved Matters stage.

The Committee agreed that they had no objection in principle to the development providing that any future application that dealt with Reserved Matters would be brought back to Committee for its consideration.

### **Resolved:**

1. That the application be approved, subject to the conditions contained in the report and for the reasons set out in the appendix to the minutes.
2. That any subsequent application for Reserved Matters approval at the site be submitted to the Committee for consideration.

Background papers: Applications, plans and replies to consultations on the application.

### **Chairman**

(The meeting ended 7.18 pm)

Any queries regarding these minutes, please contact:  
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