

COMMITTEE DATE: [01/12/2014](#)

**Application Reference:** 14/0668

WARD: Stanley  
DATE REGISTERED: 23/09/14  
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission  
APPLICANT: Mr P Swithenbank

**PROPOSAL:** Erection of part two storey/part single storey side extension to form additional offices, day room and eleven additional dementia care bedrooms, with additional car parking space at rear for four vehicles.

**LOCATION:** 397 MIDGELAND ROAD, BLACKPOOL, FY4 5ED

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**Summary of Recommendation:** Grant Permission

#### **CASE OFFICER**

M Shaw

#### **INTRODUCTION**

The proposal has been the subject of pre application discussions relating to the principle of development, relevant local and national policy, car parking, the design and the need for the extension. Also discussed were the details of the previously approved extension at the property ref: 03/0422

#### **SITE DESCRIPTION**

Existing part single/ part two storey detached care home located within a semi-rural setting within fairly spacious L shaped plot. The plot 'wraps around' the rear boundary of the adjoining residential plot at 395 Midgeland Road. Planning permission was granted in 2003 for 'Renewal of planning permission 98/0482 for the erection of single storey side extension with rear roof lift and single storey rear extension to form eleven additional bedrooms and lounge at existing rest home'. This approval has partly been implemented, the rear extension having been built, and therefore remains a valid planning permission enabling the applicant to extend up to the boundary with no.395 regardless of the outcome of this application. 395 Midgeland Road, a two storey detached house, sits within a fairly spacious garden at the northern end of the plot and is located some 17-18 metres from the common boundary with the application property.

The application site is within the designated Countryside Area as defined within the Blackpool Local Plan

#### **DETAILS OF PROPOSAL**

Erection of a part two/ part single storey extension to the left of the existing building (when viewed from Midgeland Road) occupying the space towards the shared boundary with 395 Midgeland Road. The extension would be two storey fronting Midgeland Road with a single storey extension to the

rear extending along the same common boundary. The extensions would provide an additional eleven bedrooms for the home plus a day room on the ground floor with a manager's office at first floor level. With the extensions the care home would have a total of 26 bedrooms. An additional four car parking spaces are also proposed to the rear of the existing building which would provide a total of eleven spaces at the extended home.

The application is accompanied by a Planning Statement and a Design and Access Statement

The Committee will have visited the site on 1 December 2014.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle of Development
- Need for the Development
- Design of the Extension
- Impact on Residential Amenity and the Character of the Area
- Traffic Generation and Car Parking

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

### **CONSULTATIONS**

**Environment Agency:** No comments 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.

**Head of Transportation:** The use is existing has been established for some time. This proposal aims to increase the parking provision from seven to eleven. The existing spaces would have been sufficient to cater for the additional use and increasing the parking provision will help considering that staff numbers may increase, not confirmed as only proposed staff numbers are given. Also, the proposal by its nature is likely to increase visits by health professionals over the course of the day. The site is not accessible by other modes of transport easily so the reliance on the car will be more and in effect supply may not meet demand at certain times. The access point is not great as it is a single track road and visibility is not brilliant. The existing sign directing visitors to the car park does not aid forward visibility.

**Contaminated Land Officer:** Less than 100m from the proposed development site is the former Midgeland Farm Landfill. As a result a Phase 1 report is requested to ensure that there is not a significant likelihood of contamination being present on the land through leachate. If the Phase 1 shows that there is a significant likelihood of contamination being present then this shall be followed by a Phase 2 report. Both to be submitted to the Local Authority before works commence.

**NATS Safeguarding** The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application.

**Blackpool International Airport** No comments 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.

**Blackpool, Wyre and Fylde NHS Trust** No comments 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.

**Ass Director of Mental Health and Learning Disabilities** No comments 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.

**Waste** No comments 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 displayed: 10 November 2014

Neighbours notified: 2 November 2014

Two letters of objection has been received form **395 Midgeland Road** making the following comments:-

1. I refer to the Planning Statement Clause 6.34 and 6.39. I feel it is important to put into context the statement in Clause 6.34 'that we consider the now proposed scheme to be an improved position in respect of its relationship with our property and the removal of views currently possible from the existing balcony'. This statement was made in relation to the original approved planning application 98/0482 (and subsequently 03/0422 and 08/0820) and the owner of 397 Midgeland Road subsequent discussions with myself on 2nd June 2014 where he stated that it was his intention to extend the balcony to our boundary.
2. The scale of the extension running adjacent to the boundary fence is significant and will dominate the visual outlook from our property.
3. The proposed North West elevation shows a dormer window at the rear and front elevation, creating a 'box like' appearance when viewed from our kitchen-dining room and our side garden. I refer to the Blackpool Borough Council 'Extending Your Home Supplementary Planning Document', Design Note 6 Dormers and Roof Extensions, defines this as a poor design approach along with the recommendation that the dormer should be well set back from the end wall (which the rear dormer is not). This design will create an unattractive appearance from our property and many planning guides state that dormers should be designed as a dormer window, rather than as a large box extension. Due to the size of this already large extension I question that some elements of the proposed extension try and maximise space as opposed to aesthetics. I strongly object to the part of the rear dormer that is visible from our property and ask that you consider the removal of this part of the dormer. The remaining dormer behind the roof ridge line will still allow a sizeable managers office of approx. 45 sqm (the current managers office is located in the training room).
4. The front elevation shows the North West elevation in close proximity to the boundary fence with the ground level lowered. I am concerned that this may result in the fence becoming unstable, especially in high winds.

5. As our property and the moss in general suffers from a high water table, which in winter can be just below ground level, resulting in standing water in the garden and water penetrating under our house, I am concerned that this lowered ground level and the foundations of the extension being so close to the boundary fence will effectively create a 'dam' which may result in poor drainage and potentially increased standing water on our land. I ask that this is considered in the design of the extension and some form of French drain or other is added to assist in the draining of the ground water.

A letter of support has been received from **Councillor Lily Henderson** who confirms she has been involved with various Committees relating to the elderly. There are a number of issues of concern. One relates to both family respite and another when residents of a care home need extra care for dementia and the home does not either have the space or qualified staff, meaning families have to find other homes. This is very unsettling for the resident, families and the homes themselves. Councillor Henderson has visited the home and been made aware of the proposed extensions and is greatly impressed. It is a great weight off families' shoulders to know their parent or relative can reside in the place they call home for a number of years. The application is therefore whole heartedly supported.

### **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) is a single document which was adopted in March 2012 and replaces Planning Policy Statements and Planning Policy Guidance Notes and is a material consideration in determining planning applications.

Paragraph 14 seeks to ensure that sustainable development is approved unless the adverse effects would significantly outweigh the benefits

Paragraph 47 and 48 of the NPPF requires local authorities to have a 5 year housing land supply and this could include a wide range of different housing needs including residential institutions (C2).

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 53 of the NPPF suggests that Local Planning Authorities should resist inappropriate development of residential gardens where development would cause harm to the local area.

Paragraphs 56 - 68 of the NPPF relate to the design of the built environment and confirm that good design is a key aspect of sustainable development and is indivisible from good planning. Good design should contribute positively to making places better for people.

### **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

LQ1	Lifting the Quality of Development
LQ2	Site Context
LQ4	Building Design
LQ14	Extensions and Alterations
BH3	Residential and Visitor Amenity

BH4	Public Health and Safety
BH24	Residential Institutions and Community Care Residential Use
NE2	Countryside Areas
NE3	Replacement dwellings and Extensions in the Countryside
NE10	Flood Risk
AS1	General Development Requirements

### **EMERGING PLANNING POLICY - BACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive on 16 June 2014 and by Full Council on 25 June 2014. The document was published for public consultation on 4 July 2014 for a period of eight weeks. The consultation has now ended and the document is being updated for submission to the Planning Inspectorate in December 2014 for examination in Spring 2015. Paragraph 216 of the NPPF allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

The Proposed Submission has been informed by up-to-date evidence, including a new Fylde Coast Strategic Housing Market Assessment 2013 (SHMA), which provides an up-to-date assessment of housing needs for Blackpool and the Fylde Coast, and a 2013 Strategic Housing Land Availability Assessment (SHLAA) Update. The housing figure in Policy CS2 has been revisited in order to consider the SHMA outcomes as well as other evidence, including the alignment of housing growth to economic prosperity and the level of housing considered realistic to deliver in the Borough. The 2013 SHLAA Update demonstrates a five-year housing supply in accordance with the requirements of the NPPF.

Policies in the Proposed Submission which are most relevant to this application are:

Policy CS7:	Quality of Design
Policy CS14:	Health and Education
Policy CS26:	Marton Moss

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

### **ASSESSMENT**

**Principle of Development-** the application site is sited within the designated Countryside Area on the Local Plan Proposals Map whereby fairly restrictive planning policies apply to new development, namely NE2 and NE3. In order to protect the openness of the countryside Policy NE3 allows extension to dwellings of up to 35 per cent (not specifically applicable to a care home but useful by way of comparison) whereas the proposal practically double the sizes of the floorspace at the home.

Although in this instance, this is tempered by the extant planning permission granted in 2003 under ref: 03/0422, which included a substantial side extension up to the shared boundary with 395 Midgeland Road similar to the two storey extension currently proposed.

In terms of assessing whether the principle of development is acceptable the key considerations are assessing the additional impact of the extension on the countryside over and above the extension previously approved under 03/0422 and whether the need for the additional specialist care bedrooms at the site overrides any additional harm and impact. This is discussed in further detail below.

**Need for the Development-** Policy BH24 of the adopted Local Plan requires that community care developments will be permitted subject to the type of use applied for, a demonstration of local need, the intensity of use and its effect on adjacent properties, the suitability of the premises and a management plan. The application property is well established, it was originally granted planning permission in 1991, and is clearly a very well run and well regarded facility providing specialist dementia care. It is recognised as a Beacon Home (the highest award available) and in April of this year the home came out first in the top 20 recommended care homes in the UK. The majority of residents are said to be from the local area and there is a waiting list for further admissions. The agent also points out that 3 Blackpool care homes have closed within the past two years with the loss of 120 bedrooms which increases the need for additional provision to be made. Dementia is also stated to be the single most frequent reason for admission to a care home and Blackpool has a higher percentage of dementia sufferers than the national average.

For the all above reasons the proposal is considered to accord with Policy BH24 of the Local Plan and the need for additional dementia care facilities is accepted. The need issue is considered to weigh significantly in favour of the application when assessing the principle of development, particularly given the high quality of care provided here.

**Design of the Extension-** the front part of the extension onto Midgeland Road incorporating two front dormers, has a dormer bungalow appearance that replicates the style of the application property, and is a style which is not uncommon in this area. The roof of the two storey extension at the rear will appear as a roof lift although only a small section of this would be visible from outside the site. The rear single storey extension has a hipped roof with roof lights facing towards 395 Midgeland Road. The design of the extension is fairly functional, matching materials will be dealt with by way of condition. In terms of design the proposal is considered acceptable and in accordance with relevant local plan policies including LQ1, LQ14 and BH3.

**Impact on Residential Amenity and Character of the Area-** In terms of the impact of the extension it is appropriate to consider the additional impact of the single storey rear extension given that the two storey extension has already been approved. Because the single storey extension will be positioned behind a two storey extension when viewed from the site frontage it would not be visible although when viewed from 395 Midgeland Road the single storey extension would be visible and running most of the length of its side boundary. However given it is single storey and there is a substantial boundary fence between 395 & 397 it would be just its roofline that is visible. The ridgeline would be for the most part some 2.5 metres above the fence line and the pitched roof slopes away from the shared boundary such that the ridge line would be some 2.5 metres from the boundary. The neighbouring property also has ample space, some 17-18 metres up to this shared boundary, so therefore its impact on the residential amenity of the occupants of 395 Midgeland Road is therefore considered to be acceptable and in accordance with Policy BH3.

**Traffic Generation and Car Parking-** The existing 15 bedroom home has seven car parking spaces whereas the proposal would create a 26 bedroom home with eleven car parking spaces. Council car parking standards sets out a requirement of one space per five residents where the site is defined as having low accessibility, which is probably the case here given its semi-rural location. This would equate to a parking requirement of six spaces. The proposal therefore more than satisfies the off street parking requirement for this size of development and accords with Policy AS1 of the Local Plan

## **CONCLUSION**

Whilst Blackpool has now met its requirement to have a five year housing land supply the proposal would nevertheless make a valuable contribution towards providing much needed, and high quality specialist housing accommodation and as such is supported. There is additional impact upon the designated countryside as a result of the extension but given the extant planning permission for a substantial two storey side extension and the need argument which the agent has presented, the need for the accommodation is considered to be the overriding factor here.

## **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

**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. Notwithstanding the submitted plans 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.

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.

4. 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 on site 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.

5. Prior to the commencement of development a surface water drainage scheme shall be submitted to and agreed in writing with the Local Planning Authority and the agreed details shall be implemented prior to the substantial completion of the approved extension.

Reason: To ensure that localised flooding is not increased as a result of the approved works in accordance with Policies LQ1 and NE10 of the Blackpool Local Plan 2001-2016.

6. No trees or hedgerows to be removed as part of the development shall be removed during the bird breeding season (March - August in any calendar year). None of the hedgerows to be retained shall be re-laid during the months of March to August.

Reason: To safeguard birds in accordance with Policies LQ8 and NE7 Of the Blackpool Local Plan 2001-2016.

### **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 need 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.