

Officer Report to Committee

Application ref: 22/0577
Ward: Talbot
Application type: Householder
Location: 42 Leicester Road, Blackpool, FY1 4HL
Proposal: Replacement of windows to the front elevation including the retention of stain glass toppers.
Recommendation: Approve
Case officer: Cameron Hirst
Case officer contact: 01253 476195
Meeting date: 6 September 2022

1.0 BLACKPOOL COUNCIL PLAN 2019-2024

- 1.1 The Council Plan sets out two priorities. The first is ‘the economy: maximising growth and opportunity across Blackpool’, and the second is ‘communities: creating stronger communities and increasing resilience.
- 1.2 The scheme would accord with the second given that the application would make a positive contribution to the character and appearance of the Raikes Hall Conservation Area.

2.0 SUMMARY OF RECOMMENDATION

- 2.1 This application is for replacement windows to the front elevation of the property, encapsulating the original stained-glass toppers within new upvc window frames. There are no planning policies which would preclude the application in principle and the scheme has the support of the Conservation Officer. No material planning considerations have been identified that would weigh sufficiently against the application as to warrant refusal. As such, the Committee is respectfully recommended to grant planning permission subject to the conditions listed at the end of this report.

3.0 INTRODUCTION

- 3.1 This application is before Members because the applicant is Councillor Mark Smith (Talbot Ward). Under the Scheme of Delegation all applications submitted by elected members are referred to the Planning Committee.

4.0 SITE DESCRIPTION

- 4.1 The site is a two storey semi-detached property with a small landscaped front garden, double height bay window with gable feature above and a slate pitched roof over. The window-toppers feature stain glass. The window frames to front are likely original given they are constructed of timber. At the rear is a yard with outbuilding and access to a garage which fronts onto Longton Road.
- 4.2 The site is located within the Defined Inner Area and the Raikes Hall Conservation Area. No other constraints would apply.

5.0 DETAILS OF PROPOSAL

5.1 The scheme comprises of the replacement of windows to the front elevation with PVCu slim profile double glazing with white timber effect foil finish and the stained glass top panes encapsulated within the new double glazing. The front door and doorframe would be unaffected.

5.2 The application has been supported by:

- Heritage Statement
- Letter from the builder setting out the condition of the windows

6.0 RELEVANT PLANNING HISTORY

6.1 None on file.

7.0 MAIN PLANNING ISSUES

7.1 The main planning issues are considered to be:

- The effect of the development on the character and appearance of the conservation area.

8.0 CONSULTATION RESPONSES

8.1 **Built heritage manager:** Supports the application given that the existing frames are beyond economic repair and the proposed uPVC frames would have an acceptable appearance.

8.2 **Blackpool Civic Society:** Would prefer the use of timber frames as opposed to PVCu

9.0 REPRESENTATIONS

9.1 Site notice published: 28/07/22

9.2 Neighbours notified: 25/07/2022

9.3 No representations have been received from neighbours.

10.0 RELEVANT PLANNING POLICY

10.1 National Planning Policy Framework

10.1.1 The National Planning Policy Framework was updated in July 2021. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 12 - Achieving well-designed places
- Section 16 - Conserving and enhancing the historic environment

10.2 National Planning Practice Guidance

10.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the National Planning Policy Framework.

10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS7 Quality of Design
- CS8 Heritage

10.4 Blackpool Local Plan 2011-2016 (saved policies)

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved policies are most relevant to this application:

- BH3 Residential Amenity
- LQ1 Lifting the Quality of Design
- LQ14 Extensions and alterations
- LQ10 Conservation Areas

10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)

10.5.1 The Blackpool Local Plan Part 2 (Part 2) was the subject of independent Examination in Public in December 2021. The Inspector has now issued his comments. As such, weight can be attached to the emerging policies in accordance with the provisions of paragraph 48 of the NPPF. The following emerging policies in Part 2 are most relevant to this application:

- DM17 Design Principles
- DM18 Heritage

10.6 Other Relevant Policy Guidance

10.6.1 Extending Your Home Supplementary Planning Document – this document was adopted in 2007 and sets out the Council's standards with regards to domestic extensions.

10.6.2 Blackpool Council declared a Climate Change Emergency in June 2019 and are committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030.

10.6.3 National Model Design Code (July 2021) provides guidance to promote successful design and expands on the ten characteristics of good design set out in the National Design Guide.

10.6.4 National Design Guide (January 2021) recognises the importance of good design and identifies the ten characteristics that make up good design to achieve high quality places and buildings. The guide articulates that a well-designed place is made up of its character, its contribution to a sense of community and its ability to address the environmental issues affecting climate.

10.6.5 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government's clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

11.0 ASSESSMENT

11.1 Principle

11.1.1 There are no planning policies which would preclude the alterations in principle. The key matter would be the visual impact on the character and appearance of the conservation area which is discussed in section 11.3.

11.2 Amenity

11.2.1 There would be no impact on residential amenity given that the scheme is replacement window frames and there would be no greater impact from overlooking or loss of privacy.

11.3 Visual Impact

11.3.1 The scheme is for the replacement of the existing front window frames with the encapsulation of the stained-glass toppers. The replacement windows would be slim profile, white PVCu with wood grain affect to replicate the existing timber windows as closely as possible. When a window which appears to be an early part of the building fabric is proposed to be lost or replaced, the applicant should supply information on why the windows cannot be restored or fixed. The applicant has submitted a statement from the Window Company which explains that the windows have been inspected and that they are in poor condition with rot to the majority of the frames, cracked glass and warped openers which do not close correctly. With that in mind the existing windows would be uneconomical to repair.

11.3.2 The Conservation Officer has been consulted on the above and would support the application, adding that although the retention of the frames is always preferable (as also suggested by the Civic Society), as they are deemed beyond economic repair it would be unreasonable to expect the existing frames to be retained. It is proposed to encapsulate the stained glass from the upper panes which contribute the most to the character of the property and the frames would have slim sightlines and a woodgrain finish. The majority of properties in the conservation area have PVCu windows and, given the quality of the proposed replacements, the scheme is not considered to have any adverse impact on the character and appearance of the property within the streetscene or the wider conservation area. Conditions can be applied to ensure that the scheme is carried out in accordance with the approved plans and agreed materials.

11.4 Other matters

11.4.1 There would be no impact on highways safety, access or parking. Nor would there be any drainage, contamination, environmental issues or impact from flood risk.

11.4.2 The application has 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 (as amended).

11.4.3 Under Article 8 and Article 1 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. This application does not raise any specific human rights issues.

11.4.4 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty ("PSED") under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.

11.5 Sustainability and planning balance appraisal

11.5.1 Sustainability comprises economic, environmental and social components.

11.5.2 Economically the scheme would have a very limited impact for the exception of work generation for those responsible for encapsulating the stain glass and fitting the windows.

11.5.3 Environmentally, the replacement windows would uphold the appearance of the property within the streetscene and conservation area. No other environmental issues are raised or would be affected.

11.5.4 Socially, there would be no impact on flooding, amenity or highway safety.

11.5.5 In terms of planning balance, the development proposed is considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

12.0 FINANCIAL CONSIDERATIONS

12.1.1 Not applicable.

13.0 CONCLUSION

13.1 In light of the above, the proposal is considered to represent sustainable development. As no material planning considerations have been identified that would outweigh this view, planning permission should be granted.

14.0 RECOMMENDATION

14.1 Approve subject to the following conditions:

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 and information:

Location plan recorded as received by the Council on 25th July 2022

Proposed elevations (drawing ref. 42LR01A)

The development shall thereafter be retained and maintained in accordance with these approved details.

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 materials to be used on the development hereby approved shall be as specified on the approved plan unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

- 4 The windows and doors hereby approved shall be recessed behind the front face of the elevation in which they are set by the same degree as the existing windows and doors in that elevation.

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.