

Blackpool Council

Development Management

Officer Report to Committee

Application ref:	22/0583
Ward:	Tyldesley
Application type:	Full
Location: 50 Gloucester Avenue, Blackpool, FY1 4EJ	
Proposal:	Erection of a single storey rear extension following demolition of conservatory, alterations to fenestration, installation of 1.8 metre high fencing and landscaping to the rear, renewed driveway and use as altered as 2no. Self-contained supported living flats with staff accommodation at first floor.
Recommendation:	Resolve to support and delegate approval to Head of Development Management subject to completion of S106 legal agreement
Recommendation Summary:	The property is already in lawful use as a care facility and the internal alterations to create two self-contained flats with associated staff accommodation would meet an identified local need. As such the application accords with the Development Plan and planning permission should be granted.
Meeting date: 24 January 2023	
Reason for bringing to Committee: At the request of Chairman.	
Case officer: Susan Parker	
Case officer contact: 01253 476228	

1.0 SITE DESCRIPTION

- 1.1 The property is a brick built single storey bungalow with a slate hipped roof over and gable feature with doorway below and bay window to front. There is a front garden with driveway to side which leads to a garage and outbuilding at the rear and large rear garden. There is a dormer on the roof at the rear and several small rear extensions including a conservatory. Internally, the property consists of a lobby and entrance hall with 2 bedrooms, a lounge, kitchen, and office and shower room at ground floor. At first floor in the dormer is 2 bedrooms, a bedroom/office, kitchen and bathroom. It is understood that the property has been vacant for some time but was previously in use as shared supported housing with on-site 24-hour staff support. No planning permission for C2 use has been granted but on the basis of information provided by colleagues in Adult Services, the lawful use of the property is nevertheless considered to be C2.
- 1.2 The property is within the Defined Inner Area but no subject to any other constraints.

2.0 PROPOSAL

2.1 Erection of a single storey rear extension following demolition of conservatory, alterations to fenestration, installation of 1.8 metre high fencing and landscaping to the rear, renewed driveway and use as altered as 2no. Self-contained supported living flats with staff accommodation at first floor. The proposed use would fall within Class C2.

2.2 The application has been supported by a Management Plan.

3.0 RELEVANT PLANNING HISTORY

3.1 **09/1374** – Pre-app regarding refurbishment of the property. Contact from NHS asking if any conditions were attached to the garage.

3.2 **03/8048** –Alleged change of use to drug rehabilitation unit – no evidence.

3.3 **85/0367** –Change of use of existing private garage to office.

4.0 RELEVANT PLANNING POLICY/LEGISLATION

4.1 National Planning Policy Framework

4.1.1 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 8 - Promoting healthy and safe communities
- Section 12 - Achieving well-designed places

4.2 National Planning Practice Guidance

4.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the NPPF.

4.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027 (Core Strategy)

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

- CS7 Quality of Design
- CS12 Sustainable Neighbourhoods
- CS13 Housing Mix, Standards, and Density
- CS15 Health and Education

4.4 Blackpool Local Plan 2011-2016 (Local Plan)

4.4.1 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 adopted. The following saved policies are most relevant to this application:

- LQ1 Lifting the Quality of Design
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- BH24 Residential Institutions and Community Care Residential Use
- AS1 General Development Requirements (Access and Transport)

4.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (Part 2)

4.5.1 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 and the Council is now consulting on minor modifications. It is anticipated that Part 2 will be adopted in Spring 2023. As such, significant weight can be attached to the emerging policies in accordance with the provisions of paragraph 48 of the National Planning Policy Framework. The following emerging policies in Part 2 are most relevant to this application:

- DM3 Supported Accommodation
- DM5 Residential Conversions and Sub-divisions
- DM17 Design Principles
- DM20 Extensions and Alterations
- DM37 Community Facilities

4.6 Other documents, guidance and legislation

4.4.1 New Homes from Old Places Supplementary Planning Document – this document was adopted in March 2011 and sets out the Council’s minimum design and amenity standards for new homes created through conversion.

4.4.2 Department for Communities and Local Government National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council’s New Homes from Old Places Supplementary Planning Document guidance.

4.4.3 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.

4.4.4 Blackpool Council adopted the Blackpool Green and Blue Infrastructure (GBI) Strategy in 2019. The GBI Strategy sets out six objectives for Blackpool in terms of green infrastructure:

- Protect and Enhance GBI i.e. protecting the best and enhancing the rest
- Create and Restore GBI i.e. greening the grey and creating new GBI in areas where it is most needed
- Connect and Link GBI i.e. making the links, improving connectivity and accessibility of GBI
- Promote GBI i.e. changing behaviour, promoting the benefits of GBI and encouraging greater uptake of outdoor activity and volunteering.

4.4.5 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.

4.4.6 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.

- 4.4.7 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.
- 4.4.8 Blackpool Council adopted the Greening Blackpool Supplementary Planning Document in May 2022. The Supplementary Planning Document provides direction on the importance for new development to fully consider landscaping and green infrastructure, including open space, sports and play facilities, amenity greenspace, public art, biodiversity and trees.

5.0 CONSULTEE RESPONSES

- 5.1 **Supported housing manager:** No objection- confirms that there is an identified need and that the management plan is acceptable.
- 5.2 **Head of Highways and Traffic Management Services** – No objection following clarifications on operations.
- 5.3 **Environmental Protection:** No response.
- 5.4 **Blackpool Council estates:** No response.

6.0 REPRESENTATIONS

- 6.1 Press notice published: N/A.
- 6.2 Site notice displayed: 15 September 2022.
- 6.3 Neighbours notified: 12 September 2022.
- 6.4 2 representations were received which raised the following concerns:
- Possibility of noise.
 - Parking concerns.
 - The area is residential and should remain so.

7.0 ASSESSMENT

7.1 Principle

- 7.1.1 It is understood that the property has been in continual use as supported housing with staff accommodation since April 1995 to provide accommodation to residents with mental health support needs. Proposals are now being brought forward to change the property layout and design to provide suitable self-contained supported living accommodation with no change in the nature of the persons being supported. As such, the scheme does not propose new supported accommodation, and instead seeks to improve and create better provision within an existing property. As such the use as supported living accommodation is established.

- 7.1.2 The scheme proposes the creation of two one-bedroom flats. Policy CS13 of the Core Strategy does not permit more than 30% of flats in a scheme offering a single bedroom as the town suffers from a significant over-provision of this type of accommodation. It also does not permit the provision of flats where this would exacerbate an existing local housing imbalance and the Council's New Homes from Old Places Supplementary Planning Document does not permit subdivision of properties with an original habitable floorspace of less than 160sqm which the property would be close to. However, it must be recognised that this would be specialist accommodation meeting a particular need rather than general market housing. The Council's Adult Services team has confirmed that there is an identified local need for the accommodation proposed to support vulnerable adults. This public benefit is considered sufficient to outweigh any conflict with CS13.
- 7.1.3 In terms of compliance with Policy BH24 of the Local Plan, a local need has been confirmed and the intensity, in terms of persons accommodated, would not increase beyond the existing and long-standing use. An acceptable Management Plan has been submitted which has the support of the Council's Adult Services team. As the lawful use of the property is already as supported living accommodation, its location is established with no requirement to apply the '400m rule'. As such, the proposal is considered to accord with the expectations of Policy BH24.
- 7.1.4 There are no policies which preclude the external alterations to the property in principle.

7.2 Amenity

- 7.2.1 The scheme proposes the erection of a single storey extension at the rear following removal of the conservatory. The extension would project by 2.4 metres which is within the footprint of the existing conservatory and within the 3 metre maximum set out in the Extending your home Supplementary Planning Document. The eaves would be a height of 2.1 metres which would have minimal overbearing or overshadowing impact on the neighbour. No windows are proposed to face the neighbour and as such no loss of privacy or overlooking is anticipated. A door is proposed to replace a window on the side elevation, however as there is an existing window no increase in overlooking or loss of privacy perceived.
- 7.2.2 The management plan sets out that there would be 2 staff on site at any one time providing one to one care to each resident. Shift changes for staff would normally be after 7am and finish before 10:30pm to support access to public transport. The agent sets out that every opportunity would be taken to avoid changeover at rush hour times (8-9:30am) and (4:30-6pm) to minimise impact on neighbours from staff access to the property. It is not considered that activity or noise levels at the property would materially differ to the current, lawful scenario and so no undue impacts on the residential amenity of neighbours are anticipated. Compliance with the submitted management plan can be secured through condition.
- 7.2.3 One of the flats would comply with the Council's adopted floorspace standards but the other would suffer from a contrived layout. Whilst the lounge, lobby, kitchen and store together would meet the minimum standard for communal space, the individual rooms would be small and the kitchen and lounge together would fall around 8sqm short of the minimum. This weighs against the application, but it must be recognised that, despite the double bedroom, the occupant would be a single vulnerable adult with specialist needs who would require support to occupy the accommodation. The staff accommodation would be used to facilitate sleeping for work purposes and so would not constitute residential

accommodation. Nevertheless, the space shown appears to be reasonable and fit for the purpose. Each flat would benefit from an area of private garden space to the rear with a designated, communal bin storage area. As such and on balance, the proposal would offer an acceptable standard of residential amenity to occupants and users.

7.3 Visual Impact

7.3.1 The extension to the rear would match the property in terms of materials and no issues are raised to its design. A 1.8 metre high garden fence would be erected provided private amenity space for the two residents with new paved areas and turf. There would be a landscaped strip along the boundary with number 52. No works are proposed to the front of the property and it would remain residential in character. Bins would be stored to the rear and would be suitably screened from public vantage points. As such, no issues are raised to matters of visual impact.

7.4 Access, Highway Safety and Parking

7.4.1 Four car parking spaces would be provided in a tandem arrangement on the driveway to the side of the property. Gloucester Road is subject to resident parking restrictions (although a permit/permits could be purchased), and Whitegate Drive is also subject to restrictions. Salisbury Road at the western end is not restricted but housing on the street lacks off-street parking meaning that on-street provision is subject to notable pressure.

7.4.2 The submitted management plan sets out that staff would be instructed to park on Whitegate Drive as required during shift changeovers but this is not considered to be practicable. It is accepted that the site is in an accessible location close to shops, services and the public transport network. Traffic generation and parking demand is not expected to be substantively different to the current lawful use.

7.4.3 The proposal has been considered by the Council's Highways Officer with due regard to the submitted management plan, and is judged to be acceptable in terms of parking provision. No other unacceptable impacts on highway safety or function are anticipated.

7.5 Other Issues

7.5.1 The scheme would not have any substantive impact upon drainage or flood risk as the extension would replace an existing conservatory. The site falls within flood zone 1 and so no specific information has been required.

7.5.2 The proposal would not affect any features of biodiversity value and, given its nature and the use of the building, the conservatory is not considered suitable to support bats or birds. Given the nature of the proposal, no ecological enhancement is considered to be warranted.

7.5.3 No impacts on air, land or water quality are anticipated and the development is not expected to be at any undue risk from such.

7.5.4 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).

7.5.5 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.

- 7.5.6 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.

7.6 Sustainability and planning balance appraisal

- 7.6.1 Sustainability comprises economic, environmental and social components.
- 7.6.2 Economically the scheme would have negligible impact.
- 7.6.3 Environmentally the proposal would be visually acceptable and would have no impacts on drainage or environmental quality.
- 7.6.4 Socially the proposal would not be expected to impact unduly on neighbours. It would offer an acceptable standard of accommodation, on balance, for the nature of the use proposed. The accommodation would meet an identified local need for the support of vulnerable adults and this weighs significantly in favour of the application.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 Not applicable.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

- 9.1 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.
- 9.2 This application would accord with the second priority by creating specialist accommodation to meet an identified residential care need within Blackpool for vulnerable adults.

10.0 CONCLUSION

- 10.1 As set out above, the scheme is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. On this basis, planning permission should be granted.

11.0 RECOMMENDATION

- 11.1 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 15/08/22

Proposed site layout plan ref. P6843.150 Rev A

Proposed elevation drawing ref. P6843/EI101

Proposed internal layout plan ref. P6843.101 Rev A

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 use hereby approved shall at all times operate in full accordance with the Management Plan dated 29th August 2023 and recorded as received by the Council on 02 Sept 2022.

Reason: In order to ensure that the accommodation is properly operated in accordance with Policies BH3 and BH24 of the Blackpool Local Plan 2010-2016, Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and Policy DM3 of the emerging Blackpool Local Plan Part 2: Site Allocations and Development Management Policies.

- 4 Prior to the development hereby approved being first brought into use, the parking provision shown on the approved plan(s) shall be provided and shall thereafter be retained as such.

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development in the interests of the appearance of the area and highway safety in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

- 5 No bins or refuse shall be stored other than as shown on approved site layout plan ref. P6843.150 Rev A other than on the day of presentation for collection.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 6 The boundary treatments detailed on plan ref. P6843.150 Rev A shall be provided in full and in full accordance with the approved details before the proposal hereby approved is first brought into use, and shall thereafter be retained and maintained as such.

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 Policy LQ1 of the Blackpool Local Plan 2001-2016.

- 7 The external materials to be used on the extension hereby approved shall match those of the main building in colour, size, texture and design 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 LQ14 of the Blackpool Local Plan 2001-2016.

- 8 The accommodation shall be used as a care facility for the provision of care to adults within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) only and for no other purpose, including any other purpose within Class C2.

Reason: In order to ensure that the use meets local needs and locational requirements to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7 and CS12 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies BH3 and BH24 of the Blackpool Local Plan 2001-2016, and Policy DM3 of the emerging Blackpool Local Plan Part 2: Site Allocations and Development Management Policies.