

Committee Report**Date: 04.10.2023**

Item Number	03
Application Number	23/00725/FUL
Proposal	First-floor extension and internal alterations to existing light industrial unit (Use Class E) to provide first-floor ancillary office accommodation (Use Class E)
Location	Formerly Mount Garage Rear Of Promenade Road Fleetwood Lancashire FY7 6RF
Applicant	Mr C Ford
Correspondence Address	c/o Mr Jonathan Abbott-Hull 15 Alpic Drive Blackpool Lancashire FY5 1QB
Recommendation	Refuse

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mrs Hannah Hale**

Site Notice Date: 21.08.2023

Press Notice Date: 16.08.2023

1.0 INTRODUCTION

- 1.1 This planning application is presented before planning committee at the request of Cllr Duffy citing concerns in relation to the height and scale of the proposal in comparison to adjacent properties. A site visit is recommended to enable members to understand the site context beyond the plans submitted and site photographs taken by the case officer.

2.0 SITE DESCRIPTION AND LOCATION

- 2.1 The application site relates to a former car-repair garage which is accessed via an adopted alleyway off Promenade Road in Fleetwood. The building is single storey and is constructed of rendered brick under a flat roof with a large roller shutter door to the front. The building has been used solely for storage for a number of years. The site is in a predominantly residential area and falls within the Fleetwood Conservation Area.

3.0 THE PROPOSAL

- 3.1 This application is for the erection of a first-floor extension to the building and internal alterations to the existing light industrial unit (Use Class E) to provide first-floor ancillary office accommodation (Use Class E). The first floor extension will bring the maximum height of the building to 5.8 metres and

would include two windows to the front elevation and two, obscure glazed windows to the rear elevation. The extension would be set in from the western side by approximately 3.8 metres and would measure approximately 6.5 metres in width and 12.5 metres in length. The first floor would include open plan office space, a separate office, a store and a WC. The ground floor would incorporate a workshop/garage with a small office, WC and lobby area.

- 3.2 An existing external door to the eastern (side) elevation of the building, accessed via an existing door from the alleyway, is to be relocated to be further towards the rear of the building to allow access to the proposed lobby area and stairs.
- 3.3 Materials proposed are off-white painted render for the walls, white UPVC for all new windows and doors and the roof would be corrugated metal sheeting to match the existing building.

4.0 RELEVANT PLANNING HISTORY

- 4.1 79/01371 - Proposed lift bay - Refused

5.0 PLANNING POLICY

- 5.1 ADOPTED WYRE BOROUGH LOCAL PLAN (2011-2031)
(INCORPORATING PARTIAL UPDATE OF 2022)

- 5.1.1 The Wyre Local Plan (2011-2031) (incorporating partial update of 2022) (WLPPU31) was adopted on 26 January 2023 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

- 5.1.2 The following policies contained within the WLPPU 2031 are of most relevance:

- SP2 - Sustainable Development
- CDMP3 - Design
- CDMP5 - Historic Environment

OTHER MATERIAL CONSIDERATIONS

- 5.2 NATIONAL PLANNING POLICY FRAMEWORK 2023

- 5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 5th September 2023. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2023 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

- 5.2.2 The following sections / policies set out within the NPPF are of most relevance:

Section 2. Achieving sustainable development
Section 6. Building a strong, competitive economy
Section 9. Promoting sustainable transport
Section 12. Achieving well-designed places
Section 14. Meeting the challenge of climate change, flooding and coastal change

6.0 CONSULTATION RESPONSES

6.1 Fleetwood Town Council

6.1.1 No response received.

6.2 Lancashire County Council Highways

6.2.1 No objections. Comments on considerate parking.

6.3 Wyre Council Environmental Protection (amenity)

6.3.1 No objections subject to the hours of construction to be restricted and that there be no burning of waste on site.

7.0 REPRESENTATIONS

7.1 Thirteen letters of objection have been received. The primary reasons for concerns are (summarised) below:

- Increased risk of overlooking.
- Building would appear overbearing.
- Extension would result in a loss of light to outdoor space.
- Highly visible from the surrounding area.
- Increased noise and disturbance within residential area.
- Increased vehicle movements.
- Loss of privacy.
- Eyesore which is out of character.
- Highway safety issues as children play in the alleyway.
- Access to/from the rear gates of neighbouring properties would be impeded.
- Would affect house prices.

7.1.1 One letter of support was received stating that the works would improve the look of the building.

8.0 CONTACT WITH APPLICANT/AGENT

8.1 The site address was amended to avoid confusion and an extension of time was agreed.

9.0 ISSUES

9.1 The main issues to be considered in the determination of this application are:

- Principle of the development and policy compliance
- Visual Impact, Design and Impact on the street scene
- Impacts upon Residential Amenity
- Impacts upon Highway Safety and Parking

Principle of development and Policy compliance

- 9.2 The application site is an existing building that is currently unused but was formerly a commercial car-repair garage. A first-floor extension to the building is proposed to create ancillary office accommodation. The site is in the settlement boundary. Policy SP1 of the Adopted Local Plan directs development to within the settlements. There are no designations or allocations on the land to prevent the development. The proposal would therefore be acceptable in principle.
- 9.3 Policy SP2 requires sustainable development and relevant to this case are facilitating economic growth, maximise the use of previously developed land, ensure accessible places, and achieve high quality designed local environments. The proposal would support an existing business, although precise details of the previous arrangement have not been provided, and it would be in the settlement boundary, close to main transport links and public transport. It is therefore considered to be suitably accessible. Overall, the proposal is considered to form sustainable development.
- 9.4 Policy SP2 also requires new development to demonstrate a response to climate change. No information on this has been provided with the application, however this is deemed acceptable as the proposal will make use of an existing building.
- 9.5 Whilst the principle of the development is considered to be acceptable all other planning matters are relevant and are to be considered in the overall planning balance. This is assessed accordingly below within this report.

Visual Impact / Design / Impact on the streetscene

- 9.6 Policy CDMP3 of the WLP31 requires new development to be of a high standard of design. Within the policy a number of criteria are set out. Criterion (A) states that all development must be designed to respect or enhance the character of the area. Criterion (B) requires development to create a positive contribution to an attractive and coherent townscape both within the development itself and by reference to its integration with the wider built environment having regards to the pattern and design of internal roads and footpaths in respect of permeability and connectivity, car parking, open spaces, landscaping and views into and out of the development.
- 9.7 In this instance the materials proposed comprise of off-white painted render, corrugated metal sheet roofing and white UPVC for all new windows and doors. Although these materials match those of the existing building, the proposal will be a prominent feature from the adopted highway and will also be visible from wider views within the surrounding area, including from the Mount, and falls within an area which predominantly comprises residential properties. It is considered that the addition of a first floor to this former industrial building would result in an incongruous and dominating feature within the street scene.
- 9.8 Whilst it is acknowledged that there is one other two storey industrial building in the vicinity, a car repair garage to the rear of Milton Street this industrial building is of traditional red-brick design and has been there and operating for many years. Due to the excessive increase in height of the proposal the

extension would result in unacceptable visual harm on the character and appearance of the surrounding area and would fail to comply with the provisions of Policy CDMP3 of the WLP31 and Section 12 of the NPPF (Achieving well designed places).

Impact on the residential Amenity

- 9.9 The extension will increase the overall height of the building by approx. 2.5 metres. The site is surrounded by residential properties, a number of which would be directly impacted by the proposal. The closest affected properties are to the east of the site, 141-145 Promenade Road. The rear boundaries of these residential properties are set approx. 2.3 metres from the side elevation of the proposed. This short separation distance means that the proposed first floor extension will result in an unacceptable, overbearing and enclosing impact to the rear amenity space of these properties which would also result in a loss of light. This is further exacerbated as the proposed will result in a two-storey side elevation incorporating a 5.8m high solid wall, featuring no windows or other details to break up the resultant mass, which will run along the entire width of the rear boundaries of these neighbouring properties.
- 9.10 There are two large windows proposed to the front elevation at first floor. These windows will be approx. 14.5 metres from existing windows within the first floor of the rear elevations of the residential properties to the north of the site, 7-11 Abbots Walk. The proposed windows within the front elevation are not shown to be obscure glazed on the plans submitted. Neighbours are entitled to enjoy a reasonable degree of privacy within their homes and gardens. As a consequence of the proximity to the neighbouring properties and the addition of two first floor windows the proposal would result in harmful impacts from the loss of privacy and overlooking. This would be contrary to Policy CDMP3 of the WLP31 and the interface distances set out within SPG4 which requires a minimum of 21m from habitable windows.
- 9.11 The Environmental Health Officer has raised no objections to the application subject to the hours of construction being restricted and that there be no burning of waste at the site. There are residential properties in close proximity to the application site and whilst it is accepted that the proposal is for office accommodation above an existing garage/workshop, the building has not been used in a commercial fashion for a number of years. A planning history search found the most recent application was for a proposed lift bay which was refused in 1979. Details of the previous arrangement, how the business has operated in the past or when it last operated have not been provided. The application form submitted states that there are currently no employees. There are two full-time employees and one part-time employee proposed, with opening hours between 08:00-18:00, Monday to Saturday. The site falls within a relatively quiet area and there is therefore the potential for a significant increase to the levels of noise and disturbance to neighbouring occupiers, from activities within the building, customers/employees entering and leaving the building and any associated vehicular movements.
- 9.12 On balance it is considered that the development would represent an undesirable escalation of commercial activity within a predominantly residential area and the proposal is deemed to have an unacceptable detrimental impact to residential amenity.

Impact on Highway / Parking

- 9.13 Lancashire County Highways (LCC) have been consulted on the application and raised no objections. It was acknowledged that part of the adopted highway to the front of the building was included within the red edge submitted with the application, and although LCC Highways were not served notice in respect of this application, as there were no proposed changes to this area, this was acceptable. It must be noted that the site benefits from no designated parking and all vehicles using the site, both employees and visitors, would need to park on the adopted highway.

Other Matters

Flood Risk

- 9.14 The site is not located within an area defined as at risk of flooding from sea or rivers as shown on The Environment Agency flood maps.

9.15 Trees

The proposal will not impact on trees.

Heritage Impacts

- 9.16 The application site lies within the Fleetwood Conservation Area which is a designated heritage asset. Policy CDMP5 requires any development to conserve and enhance the historic environment and new proposals should not harm the significance of any heritage assets. The Council's Conservation Officer was consulted on the application and raised no objections to the proposal and stated that the development would have no material impact upon the appearance of the area or the designated heritage asset.

10.0 CONCLUSION

- 10.1 The proposed development, by reason of its excessive scale, bulk and massing would be out of keeping with the character of the area and in this location would result in an overly dominant and incongruous feature within the street scene. Furthermore the proposed development would be detrimental to the residential amenity of neighbouring properties, contrary to the identified policies of the WLP31 and the provisions of the NPPF.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

- 11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.
- 11.2 ARTICLE 1 of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

- 12.1 Refuse full planning permission.

Recommendation: Refuse

1. Due to the overall excessive scale of the proposed extension, in close proximity to residential properties, the development would result in an adverse detrimental impact on the residential amenity of the neighbouring properties to the east, namely 141-145 Promenade Road, by way of loss of light, loss of outlook and its overbearing impact. In addition, the two windows to the front elevation of the proposal would result in unacceptable overlooking/loss of privacy to the properties to the north of the site, 7-11 Abbotts Walk. As a consequence the proposal would fail to comply with Policy CDMP3 of the Wyre Local Plan (2011-2031) along with the provisions of the NPPF.
2. The proposed development by reason of its excessive scale sited within a predominantly residential area, would result in a highly prominent and obtrusive feature within the street scene, resulting in significant detrimental impact on the character and visual amenity of the surrounding area. As a consequence the proposal fails to comply with Policy CDMP3 of the Wyre Local Plan and the Supplementary Planning Guidance 4 along with the provisions of the National Planning Policy Framework, in particular section 12.