



Appeal Decision

Site visit made on 7 January 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 17th January 2020

Appeal Ref: APP/J2373/D/19/3239558

2 Moss Way, Blackpool FY4 5BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Carol Knight against the decision of Blackpool Borough Council.
 - The application Ref 19/0331, dated 16 May 2019, was refused by notice dated 13 August 2019.
 - The development proposed is single storey side extension to be used as a bedroom for the benefit of a disabled person.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal property is a 2 storey detached dwelling with a conservatory to the rear elevation. It is set back from the street on a corner plot at the junction of Moss Way and Lowfield Road. The rear garden adjoins Lowfield Road and it is enclosed by a tall close-boarded timber fence which protrudes forward from the side elevation and extends to the footway. There is an unenclosed area of mature landscape planting between the dwelling and Lowfield Road.
4. No 2 is part of a group of similar detached properties that extend along Lowfield Road between Moss Way and Green Way. They are of mock Tudor design, in matching materials and with repeating details including front gables and bay windows, render and beams, decorative brickwork and diamond pattern leaded light windows. The opposite side of Lowfield Road at this point is characterised by a distinct group of single storey properties set on staggered building lines. Properties are set back from the street behind open frontages. Notwithstanding the irregular building lines and street layouts, the similar ages, styles and repeating groups of properties together with landscaped corner plots results in a relatively consistent and harmonious character and appearance.
5. The proposed single storey extension would be set back from the front elevation facing Moss Way and it would be subservient to the host property. However, while it would not extend to the footway, the proposal would protrude forward beyond the elevations of properties facing Lowfield Road.

Notwithstanding the absence of uniform building lines, there is nevertheless a reasonably consistent set back of properties along the street. Consequently, by virtue of its size and siting, the proposal would be a prominent feature that would disrupt the consistency of the street scene. In this respect, it would not accord with the guidance on side building lines and corner plots in the Council's Extending Your Home Supplementary Planning Document Adopted November 2007 (the SPD).

6. Irrespective of the use of materials to match the host property, the proposal would be an uncharacteristic form of development that would not relate well to its surroundings. The bulk of development in proximity to the street and the loss of mature planting would result in an increase in the hard built environment and a loss of openness in this location. In this respect, the proposal would be visually obtrusive and it would conflict with the guidance in the SPD relating to the important contribution that side gardens make to the street scene.
7. The plans indicate that there would be a tree to the front of the property together with planting to the side of the extension. However, given the siting of the proposal relative to the footway, it seems reasonably unlikely that there could be any meaningful planting to soften and integrate the proposal into its surroundings. Furthermore, given the close proximity of the tree to the front-facing window in the extension, I consider that future occupiers would seek to remove or severely prune it to prevent shading and potential conflict with the window. Consequently, I am not persuaded that the adverse effects of the proposal could be mitigated by planting.
8. Therefore, the proposed development would result in significant harm to the character and appearance of the area. It would conflict with Policy CS7 of Blackpool Local Plan Part 1: Core Strategy 2012-2027 Adopted January 2016 and policies LQ1, LQ2, LQ14 and BH3 of the Blackpool Local Plan 2001-2016 Adopted June 2006. These require, among other things, that development is consistent with and enhances townscape character, responds and relates to its surroundings, and avoids unacceptable visual intrusion. It would also conflict with policies in the Framework that require development to add to the overall quality of the area, being sympathetic to local character and the surrounding built environment.

Other Matters

9. Evidence has been submitted with the appeal, including a letter from the family's general practitioner, relating to the personal circumstances of the appellant's son, including his medical conditions. Section 149 of the Equality Act 2010 sets out that particular medical conditions, including physical impairment, are a protected characteristic for the purposes of the Act. In reaching my decision, it is therefore necessary for me to have regard to the Public Sector Equality Duty contained in the Act. This includes having due regard to the need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it, including by taking steps to meet the needs of such persons that are different from the needs of persons who do not share the relevant protected characteristic.
10. Although not forming part of the appeal proposal, the appellant has indicated that she intends to convert the ground floor wash room into a wet room. The evidence indicates that, in combination with the proposed extension, this would

enable her son to live on the ground floor of the dwelling. In this respect, the proposal would clearly be a significant benefit to the appellant and her family.

11. I appreciate that the conservatory is not suitable to be used as a bedroom and that the appeal scheme is the appellant's preferred option. However, I am aware that the Council has suggested that an extension to the rear of the property should be considered instead. On that basis, I am not persuaded that there are no alternatives to the proposal, including amended internal ground and first floor layouts or other forms of extension, that could deliver substantially the same benefits without conflict with the development plan. Therefore, the personal circumstances are a matter which must carry limited weight in favour of the scheme.
12. The proposal would not result in harm to the living conditions of neighbouring occupiers. Moreover, it would be consistent with some policies in the Framework, including those that relate to accessibility and amenity for existing and future users. Nevertheless, compliance with some policies is not an additional benefit of the scheme.

Conclusion

13. I have concluded that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR