



Appeal Decision

Site visit made on 9 November 2020

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 2 December 2020

Appeal Ref: APP/J2373/D/20/3257465

23 Winsford Crescent, Blackpool FY5 1PS

- 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 Miss Perry Smith against the decision of Blackpool Borough Council.
 - The application Ref: 20/0257, dated 29 April 2020, was refused by notice dated 29 June 2020.
 - The development proposed is attached side garage wrap around rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, I observed that the development was complete. I also note that the application has been submitted retrospectively. I have therefore dealt with the appeal on that basis, having regard to the plans submitted with the application.

Main Issues

3. The main issues are:
 - The effect of the development on the character and appearance of the area; and
 - The effect of the development on the living conditions of occupiers of No 21 Winsford Crescent, with regard to outlook and light.

Reasons

Character and appearance

4. Number 23 Winsford Crescent (No 23) is the left-hand half of a pair of two-storey, semi-detached, brick and clay tile houses. It is located in an established residential area, which is predominantly characterised by evenly spaced properties of a similar size, style and materials. The houses are situated within moderately sized plots and are set back from the highway behind front gardens with narrow driveways at the side which access detached garages at the rear. These elements combine to provide a pleasing spacious and harmonious character and appearance to the street scene.

5. The development comprises a wraparound single-storey extension at the side and rear, with a monopitch roof (in part) at the side and flat roof at the rear. The Council has raised no issues regarding the effect of the rear element of the extension on the character and appearance of the area and I have no reason to disagree.
6. The side element of the extension is subservient in size and scale to the host property and has been constructed using complementary materials. However, even though the monopitch form and design of its roof echoes the pitched roof of the partially demolished detached garage at the rear, it does not reflect the hipped form and design of the roof of the main property.
7. Furthermore, the extension's very close proximity to the shared boundary with No 21 Winsford Crescent (No 21) would mean that, if the development was repeated on No 21, it would effectively close the characteristic open space between the properties and create a linking effect in the street scene.
8. In these respects, the side element of the extension does not accord with the guidance contained in the Council's Extending Your Home Supplementary Planning Document 2007 (Extending Your Home SPD).
9. Overall, the position, form and design of the side element of the extension is a discordant addition which adversely disrupts and diminishes the prevailing positive characteristics of the area. Its unduly conspicuous nature when viewed from the highway, along with the fact that it is the only extension of this type on the Crescent, exacerbates its harmful impact.
10. Accordingly, I conclude that the development has a harmful effect on the character and appearance of the area. This conflicts with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, adopted 2016 (BCS); Saved Policies LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001-2016, adopted 2006 (BLP); and guidance within the Extending Your Home SPD. Together and amongst other things, these policies and guidance require that all new development is of a high quality, well designed and enhances the character and appearance of the local area.

Living conditions of occupiers of No 21 Winsford Crescent

11. The Council has raised no issues regarding the effect of the rear element of the extension on the living conditions of occupiers of neighbouring properties and I have no reason to disagree.
12. The kitchen window of No 21 faces across the drive towards the side element of the extension. The Council's Extending Your Home SPD advises that kitchens are classed as 'habitable rooms', which the guidance seeks to protect the amenity of.
13. Prior to the construction of the side element of the extension, the modest separation distance between the side gable walls of Nos 21 and 23 would have constrained the outlook from the kitchen window of No 21 to some degree. However, the extension's encroachment up to the shared boundary has significantly eroded the open space between the properties and resulted in the presence of solid built form being disproportionately close to the side elevation of No 21.

14. This close proximity of the side element of the extension, combined with its substantial length and overall massing, causes it to be a dominant and overbearing structure when viewed from the kitchen window of No 21. This creates an oppressive and uncomfortable sense of enclosure that substantially diminishes the outlook of the occupiers of No 21.
15. Given No 21's orientation, the position of the kitchen window within the gable wall and the presence of an opaque glazed door at the rear which allows secondary light into the kitchen, the reduction in sunlight and daylight received through the kitchen window of No 21 because of the side element of the extension is limited. Nonetheless, this moderate loss of light still has a detrimental impact on the enjoyment of the use of this habitable room by the occupiers of No 21.
16. Therefore, I conclude that the development has a harmful effect on the living conditions of occupiers of No 21, with regard to outlook and light. This conflicts with Policy CS7 of the BCS; Saved Policies LQ1, LQ14 and BH3 of the BLP; and guidance within the Extending Your Home SPD. Together and amongst other things, these policies and guidance seek to ensure that development is well designed and does not have unacceptable or adverse effects on residential and visitor amenity.

Other Matters

17. The appellant has highlighted that separate extensions at the side and rear of No 23 could be erected under permitted development rights without the need for planning permission. Be that as it may, in my judgement, any such additions would not be as substantial as the wraparound extension before me now and, therefore, would be unlikely to have such harmful effects.
18. In support of the appeal the appellant has submitted photographs of other properties in the wider locale which have been extended at the side, some of which I viewed when on site. A number of those cited are not comparable to the appeal proposal as the position, size, form and design of the extensions in relation to the host property or adjacent properties are different. Of those that could be said to have parallels with the appeal proposal, I do not have the full details of those developments, whether they required planning permission and, if they did, the circumstances that led to them being accepted. In any event, the fact that apparently similar extensions exist is not, in itself, a reason to allow unacceptable development. I have considered this appeal proposal on its own merits and found that it causes harm as outlined above.
19. I have also been referred to several applications for extensions to properties which are asserted by the appellant to be comparable to the appeal proposal and that have been granted planning permission by the Council. Nonetheless, no information has been provided regarding their location, their context, their relationship with neighbouring properties or the details of the developments. Therefore, I am unable to draw any meaningful comparisons and can only give them limited weight.
20. I am aware of the appellant's comments regarding the advice received from the Council before and after the submission of the application. However, this is not a matter to which I can give any significant weight in the context of an appeal under Section 78 of the Act.

21. I note the appellant's offer to change the form and design of the monopitch part of the extension's roof and the acceptance of any conditions deemed reasonable and necessary. However, the alteration of the monopitch roof alone would not address the fundamental issue of the very close proximity of the side element of the extension to the shared boundary with No 21. In addition, there are no conditions which would successfully mitigate the harmful effects of the development.
22. I am cognisant that no objections were received in relation to highway safety. However, this is a neutral consideration in the balance and does not offset the harm that I have found.
23. I am mindful that the extension provides additional and secure living space for the appellant and her family and realise that a decision to dismiss the appeal may well cause inconvenience and expense. Nevertheless, in general, planning is concerned with land use in the public interest and the development would remain long after the current personal circumstances of the appellant cease to be relevant. Consequently, I find that these factors do not outweigh the identified harm of the development which is contrary to the development plan and associated guidance.

Conclusion

24. For the reasons given above, I conclude that the appeal should be dismissed.

F Cullen

INSPECTOR