



Appeal Decision

Site visit made on 6 April 2022

by M Clowes BA (Hons) MCD PGCERT (Arch con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2022

Appeal Ref: APP/J2373/W/21/3287339

Land to the rear of 199-201 Common Edge Road, Blackpool FY4 5DJ

- 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 Mr Liam Coatman against the decision of Blackpool Council.
 - The application Ref 21/0661, dated 22 July 2021, was refused by notice dated 28 October 2021.
 - The development proposed is described as erection of a detached dwelling house with balcony at first floor level and integral garage with associated access and landscaping works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description of the proposal from the appeal form and the Council's decision notice, as it more clearly defines and does not fundamentally change the development proposed. Moreover, and for the same reasons, the cases of the main parties would not be prejudiced.
3. The submitted roof plan does not reflect the submitted elevations however, these were the plans determined by the Council. Having had regard to the overall scale and position of the proposed dwelling, I am satisfied that there is sufficient detail on the floorplans and supplied elevations, to properly assess the effect of the proposed development in respect of the main issue.

Main Issue

4. The main issue is the effect of the development upon the living conditions of neighbouring residents, with particular regard to outlook.

Reasons

5. The appeal site relates to a parcel of land accessed via a narrow driveway off Common Edge Road (B5261). It is a backland site, surrounded by existing residential development to all sides. A close-boarded fence has been erected around the perimeter and gravel laid across the surface of the site. 2 chalets and a touring caravan are in situ, along with a single storey lean-to building.
6. Planning permission was granted for the erection of a dormer bungalow on the appeal site via outline and reserved matters applications, references 16/0229 and 19/0653 respectively. Permission is now sought for a 1.5 storey dwelling of a differing footprint, design and scale. The principle of a dwelling on this site is

not contested and based on all that I have seen and read, I see no reason to disagree with this point of view.

7. The Council have furnished me with a set of plans for the previously approved dwelling, such that I am able to make a comparison with the development now proposed. I have seen that the footprint of the proposed dwelling is a simpler L-shape plan, that is more compact generally, but with an appreciably larger amount of accommodation at first floor level, as shown on the proposed floorplans. The overall height of the proposed dwelling has increased marginally (approximately 0.3m) from the previous approval. The eaves height has also increased from approximately 3.3m to a range of between 4m and 5m (as cited by the Council), around the whole of the property. I agree with the Council that these alterations increase the scale and bulk of the proposed dwelling, and that it is materially different to the previously approved scheme.
8. The northern-most section of the dwelling would be further away from the northern boundary of the site than the previous approval. However, it would contain a large, external first floor balcony contained by a glass balustrade. This elevation would have a greater presence than the previous scheme where a small balcony was to be created from a niche within the hipped roof space. The proximity of the new balcony, its location at first floor level and use as an outdoor amenity space is likely to impact negatively on 44 Oakwood Close. The occupants of No 44 are likely to feel uncomfortable in their back garden from the overdominance of the dwelling and the balcony specifically, which would loom above the boundary fence. This would also be the case for the occupants of 199 Common Edge Road given the proximity of the large, first floor balcony being close to and above the rear boundary of their garden. Although there is some tree coverage along the boundaries with No 44 and No 199, they are deciduous specimens and would not therefore, provide sufficient screening for a good proportion of the year.
9. The eastern most part of the proposed dwelling would present a 1.5 storey elevation with a large first floor window facing towards the rear elevation of 201 Common Edge Road. As this neighbouring property is a bungalow with an additional rear conservatory extension, the height and proximity of the proposed wall would render the dwelling imposing and domineering when viewed from the windows of the rear habitable rooms of No 201, and particularly the conservatory. Its presence would be exacerbated by light spillage from the proposed window when lights are on during poor weather or hours of darkness. Even if the window were to be removed as offered by the appellant, this would not address the height or proximity of the elevation, which would remain unduly dominant in relation to No 201.
10. The majority of the proposed dwelling would be sited alongside the flank wall of 42 Oakwood Close. However, the eastern projection would extend beyond the rear elevation of this adjacent property. The change to the eaves height of the southern elevation would increase the prominence of the proposed dwelling when viewed from the principal windows belonging to habitable rooms on the rear of No 42. The scale of the development would be intensified above the fence height and due to the relative closeness (less than 6m as cited by the Council), would have a greater impact on the outlook from the property than the previously approved scheme. It is not known whether the existing chalet sited close to the boundary with No 42 has the benefit of planning permission.

Therefore, I cannot balance the impact of the existing chalet on the outlook afforded to No 42, with the impact of the proposed dwelling.

11. Overall, the western elevation of the proposed dwelling would be shorter than the previously approved scheme. However, the eaves height would be increased significantly above the 2m boundary fence, enlarging the scale and visual presence of the proposed dwelling when viewed from Oakwood Close. Given the projection of this elevation for a considerable distance forward of, and in proximity to, the front elevation of 44 Oakwood Close, it would be intrusive and dominant, even taking account of the soft landscaping to the front garden of No 44. Furthermore, with no existing and proposed levels details before me, and given that gravel material has already been brought onto the site, I cannot be satisfied that the development would be constructed at an appropriate land level, so as not to increase the negative impact of a large scale dwelling in close proximity to neighbouring dwellings.
12. I find that the proposed dwelling due to its scale and proximity would be harmful to the living conditions of the occupiers of 201 Common Edge Road and 42 and 44 Oakwood Close, in terms of outlook. Consequently, the proposed development would conflict with Policy BH3 of the Blackpool Local Plan 2006 (Local Plan) and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (2016) which both seek to ensure, amongst other things, that occupants of neighbouring residential accommodation are not adversely affected by new development. Likewise, conflict is found with Policies LQ1 and LQ4 of the Local Plan (2006) which seek to ensure a high standard of design where the scale, mass and height of new buildings is appropriate to the location.

Other Matters

13. Reference is made to the materials, access, landscaping and car parking being approved under the previous planning applications. Be that as it may, this is a wholly new planning proposal for renewed consideration which I have done so on its own merits, with regard to the main issues of the case.

Conclusion

14. The appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance therewith. The appeal should therefore be dismissed.

M Clowes

INSPECTOR