



Appeal Decision

Site visit made on 27 June 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th July 2022

Appeal Ref: APP/J2373/W/22/3291820 57 Central Drive, Blackpool FY1 5DS

- 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 Sohail Asghar against the decision of Blackpool Borough Council.
 - The application Ref 21/0474, dated 4 June 2021, was refused by notice dated 5 August 2021.
 - The development proposed was originally described as the conversion of the attic space to include additional bedrooms as part of loft dormer conversion to allow extra room space for personal use in the existing property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the host building and surrounding area;
 - Whether the proposed development would provide acceptable living conditions for future occupants, with particular reference to the provision of private amenity space and housing density; and
 - The effect of the proposed development on the living conditions of the occupiers of 59 Central Drive, with particular reference to outlook and privacy.

Reasons

Character and appearance

3. The appeal site consists of a two-storey building situated within a terrace. The building has a rectangular bay, with a hipped roof to the front, and an outrigger to the rear, with a pitched roof. These are characteristic features of the terrace. The terrace is generally formed of commercial uses to the ground floor and residential above.
4. The scheme seeks to extend an existing flat through erecting a roof lift. The proposed increase in height of the roof and flat roof would be visible from a range of public vantage points including the play area, Erdington Road and

Bethesda Road. The proposed roof lights would be visible from parts of Central Drive and Palatine Road.

5. The proposed increase in height of the roof and flat roof would have a poor relationship with the adjoining properties and wider terrace. The use of brick to the upper floor would draw the eye to the extension. The introduction of two roof lights, at differing heights, would dominate the roof plane of the principal elevation. The scheme does not include architectural details or features to provide depth or visual interest and would not be characteristic of the host building or other buildings within the terrace which have a broadly consistent character and appearance. Consequently, the roof lift, flat roof and roof lights would result in a poorly designed development which due to their scale, bulk and position would appear at odds with the established pattern of development and the terrace. The scheme would therefore appear as an incongruous feature and would not enhance the character and appearance of the surrounding area.
6. The appellant asserts that there are similar extensions nearby. I observed on my site visit that roof lifts were not a common feature within the local area. The terrace, which the appeal building forms part of, has a broadly consistent roof height and form. In addition, the Council highlights that similar extensions were approved prior to the adoption of the current local plan and relate to historic hotel uses. Consequently, the other extensions cannot be directly compared to the scheme before me. In any case, each case is treated on its own merits, and I have made a planning judgement based on the site specific context on the ground.
7. For these reasons, the proposed development would be visually harmful to the character and appearance of the host building and surrounding area. Accordingly, it would conflict with Policy CS7 of the Blackpool Local Plan- Part 1: Core Strategy (2012 – 2027) (2016) (CS) and Policies LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001/2016 (2006) (LP). These policies seek, amongst other matters, to ensure new development is well designed which has an appropriate relationship to adjoining buildings, and enhances the character and appearance of the local area. In addition, it would conflict with Chapter 12 of the National Planning Policy Framework (the Framework) which promotes good design and states that developments should be sympathetic to local character.

Living conditions- future occupiers

8. The Council state that the building falls within the second most deprived area in the country and is situated in an area which is incredibly densely developed with little open space. In addition, a large percentage of the local housing stock comprises flats which is significantly more than local, regional and national averages which results in an over-concentration. Therefore, local planning policies seek to address those matters.
9. The accommodation would not have a separate entrance to the commercial use. Having said that, it appears the access would not alter from the existing arrangements. The appellant asserts that the development would not have an impact on the number of residents living in the building. However, I am not satisfied that would be the case and I am conscious that there are no reasonable mechanisms to control the number of occupiers.
10. The scheme would substantially increase the size of the flat as it would increase the number of bedrooms from one to four. Over time the occupants of

the flat can change whereas the development would be permanent. Given the number of bedrooms, the flat could be occupied by a family. Therefore, even if it is not currently the appellant's intention to increase the number of occupiers, it is likely that over time the proposed development would increase the number of occupiers.

11. The development does not provide any private external amenity space. Although I acknowledge the existing flat's arrangements in this regard and there is a backyard, access to the backyard would be achieved through the restaurant. Having regard to the size of the flat, the outdoor space would not provide sufficient space for informal recreation, gardening, drying clothes and socialising for future occupiers. It has been drawn to my attention that there is a park and beach within walking distance, but this does not outweigh the substandard private outdoor space.
12. Consequently, the proposed development would conflict with the Council's efforts to improve the living environment and establish more balanced and healthy communities. This is because it is likely to exacerbate the high housing density in the area, to a degree, and result in an overly intensive occupation of the building. In addition, it would not provide an adequate outdoor area for future occupiers, particularly given the size of the extended flat proposed. Consequently, the scheme would result in a poor standard of accommodation.
13. For these reasons, the proposed development would not provide acceptable living conditions for future occupants, with particular reference to the provision of private amenity space and housing density. Accordingly, it would conflict with Policy HN5 of the LP and Policy CS13 of the CS. These policies seek, amongst other matters, to ensure new development provides quality living conditions and ensure the density is appropriate to the characteristic of that particular area. In addition, it would conflict with paragraph 130 of the Framework which seeks to ensure that developments create places with a high standard of amenity for existing and future users. It would also not comply with the New Homes from Old Places Supplementary Planning Document (2011). This states that proposals will be expected to maximise all opportunities for the provision of outdoor amenity space.

Living conditions- existing neighbours

14. The proposal would increase the host building's height. The adjoining building, No 59, includes a flat to the upper floor. The Council highlight that this flat has windows which face towards the appeal site. There is a small gap between these windows and the proposed development. It appears that the property owner of No 59 did not object to the proposal. However, the role of the planning system is to consider the effects of the development on both the current and any prospective future occupiers.
15. The proposed roof lift would result in No 57 being more dominant when viewed from No 59's windows and would result in a tunnelling effect. The scheme would have an intrusive and oppressive effect and would have an overbearing impact. The outlook from No 59's windows, facing towards the appeal site, would be significantly compromised with the effect that the occupiers would feel hemmed in when looking out of these windows. This is due to the proposed increase in height, scale and small gap between No 59's windows and the proposed development.

16. On the basis of the information before me, the new windows would allow occupiers of No 57 to look into the side windows of No 59 which would result in a loss of privacy. I recognise that the host building has existing windows which face towards No 59. Nonetheless, the scheme would increase the number of windows which face towards No 59 and would adversely increase the level of overlooking.
17. For these reasons, the proposed development would adversely affect the living conditions of the occupiers of No 59, having regard to outlook and privacy. Accordingly, it would conflict with Policies BH3 and LQ14 of the LP and Policy CS7 of the CS. These policies seek, amongst other matters, to ensure that amenities of nearby residents and potential occupiers are not adversely affected by new development. In addition, it would conflict with chapter 12 of the Framework which seeks to ensure that developments create places with a high standard of amenity for existing and future users.

Other Matters

18. I have had regard to the other matters highlighted by the appellant. These include frustrations with the Council, impact on the business and living space, the building needs extra staff rooms and storage facilities, permitted development rights restricted, closed business, provide improvements to the area and job opportunities. Based on the evidence presented, the other matters highlighted do not outweigh the harm identified above.

Conclusion

19. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.

L M Wilson

INSPECTOR