



Appeal Decisions

Site visit made on 14 December 2022

by S Brook BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2023

Appeal A Ref: APP/J2373/W/22/3304512

Cliff Head Hotel, 174 Queens Promenade, Blackpool FY2 9JN

- 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 Rene Schaefer against the decision of Blackpool Council.
 - The application Ref 22/0001, dated 22 December 2021, was refused by notice dated 12 February 2022.
 - The development proposed is described as 'Construction of terrace in front roof, removal of sun lounge, reinstatement of bays and use of premises as altered as a single private dwelling house'.
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Appeal B Ref: APP/J2373/W/22/3307259

Cliff Head Hotel, 174 Queens Promenade, Blackpool FY2 9JN

- 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 Rene Schaefer against the decision of Blackpool Council.
 - The application Ref 22/0307, dated 14 April 2022, was refused by notice dated 16 May 2022.
 - The development proposed is described as 'Removal of sun lounge, reinstatement of bay windows, hip to gable, dormer and use of premises as altered as a single private dwelling house'.
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Decisions

1. Appeal A and Appeal B are both dismissed.

Preliminary Matters

2. As set out above there are two appeals on this site. They differ in the detail of the design of the proposed extensions and alterations and the internal layout. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
3. Construction works have commenced at the site. Nevertheless, I am determining the appeal based on the plans before me.
4. Reference is made to the draft Blackpool Local Plan Part 2: Site Allocations and Development Management Policies, which I understand has reached an advanced stage but is not yet formally adopted. However, the reasons for refusal do not rely on any emerging policies, and as such those policies have not had a bearing on my decision.

Main Issues

5. The main issues in each case are (a) the effect of the proposed development upon the character and appearance of the building and the area, and (b) whether the proposed development would provide acceptable living conditions for future occupants, with regard to the provision of private amenity space.

Reasons

Character and appearance

6. The appeal property comprises a two-storey, semi-detached, red brick building with hipped roof. It has two rounded bay window features to the front elevation, with small projecting gable features above, which sit below the ridgeline of the main roof. The building has previously been extended at ground floor to the front elevation with a flat roof sunroom, used as part of the former guesthouse, and by a two-storey extension to the side fronting onto Cavendish Road. The neighbouring properties of No 172 and No 168-170 Queens Promenade are of comparable design and proportions, including similar extensions to the front. Other alterations include a flat roof dormer window to the front roof slope of No 172. The more recently constructed Holroyd Court attaches to the side elevation of No 168-170. The surrounding area is a mix of residential and holiday accommodation uses, of varying age and design, which overlook the Blackpool seafront.
7. Within both appeal schemes, the proposed conversion to residential use includes removal of the front single storey extension and re-instatement of ground floor rounded bay windows, a new front door and ground floor window, and an extension upwards of the square bay window to the Cavendish Road elevation. The Council has raised no concerns in relation to the principle of residential use, or to these specific alterations and I understand that these aspects of the proposal already benefit from planning permission (Ref. 21/0643). I have no reason to disagree with the Council. There is no policy basis before me to suggest that a residential use would be inappropriate; it would be compatible with surrounding land uses and these particular alterations are sympathetic to the design of the existing building. As such, in relation to both Appeal A and Appeal B, I find these aspects of the schemes to be acceptable.

Appeal A

8. In addition to the above, this scheme includes a number of alterations to the roof of the building, comprising a flat roof dormer with balcony to the front roof slope, the addition of an asymmetric gable feature above the square bay window facing onto Cavendish Road, alteration of part of the main roof of the building from a hipped roof to a flat roof in line with the original ridgeline, and replacement of the hipped roof above the two-storey side extension with a flat roof and glazed enclosure at roof level.
9. Given the prominent location of the building on the corner of Queens Promenade and Cavendish Road, the proposed alterations to the roof would be visible from public routes along the highway. Due to their number, scale and design, these roof alterations would not be sympathetic to the original building. The large areas of flat roof would be inconsistent with the hipped style of the

original building. The higher, asymmetric gable would sit uncomfortably adjacent to the existing smaller gables above the rounded bay windows, and the flat roof with glazed enclosure above the extension would be a marked contrast both in style and materials to the existing roof. Whilst details of the approved scheme provided for this site include a cut into the front roof slope to create a balcony, the proposal provides for a dormer with balcony, which would be a larger alteration, introducing a flat roof dormer extending up to the ridgeline. In combination, these alterations would result in an overly complex and cluttered roof design that would be incongruous in relation to the building itself and the adjoining one. They would add excessively to the massing of the building, and the resulting scale would also be at odds with the adjoining building.

Appeal B

10. This scheme also includes a number of alterations to the roof of the building, albeit not so extensive as those relating to Appeal A. The proposed works comprise the same flat roof dormer with balcony to the front roof slope, the addition of an asymmetric gabled roof facing onto Cavendish Road, and alteration of part of the main roof of the building from a hipped roof to a flat roof in line with the original ridgeline. The hipped roof of the two-storey side extension would remain unchanged and so the proposed area of flat roof would be contained to the rear roof slope only.
11. The alterations to the rear roof slope to create a reduced size flat roof extension would be less visible in views along Cavendish Road due to the screening afforded by the remaining roof. However, the other elements of the scheme would be visible. In this scheme, the asymmetric gabled roof feature would contrast in style with both the existing smaller gables above the rounded bay windows, and the retained hipped roof of the existing side extension. The flat roof of the proposed dormer window would add a further differing roof style. As such, these features would appear as incongruous and unsympathetic additions in design terms and the combined massing would result in overly dominant roof features for the host building and the adjoining building.
12. The surrounding area includes buildings which differ in size, design and materials, and I note the presence of dormer windows and balconies on some developments. However, this variety in the wider area would not be sufficient reason to allow a development that is not sympathetic in design to either the host property or the adjoining building.
13. To conclude on this first main issue, both Appeal A and Appeal B would be materially harmful to the character and appearance of the building itself and to the area, contrary to Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) Adopted January 2016 (LP), and saved Policies LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001/2016, Adopted June 2006 (saved LP). These policies, collectively, and amongst other matters, seek to ensure well designed development which enhances the character and appearance of the area by ensuring that the scale, massing, appearance and materials of a development are appropriate and relate well to adjoining development. Nor would the proposal meet the requirements of the National Planning Policy Framework (NPPF) in terms of ensuring visually attractive development that adds to the overall quality of the area.

Living Conditions

Appeal A and Appeal B

14. At present, the appeal property benefits from a small private yard to the rear and a small garden to the front. Appeal A proposes a 5-bedroom dwelling, and Appeal B is for a 7-bedroom dwelling.
15. LP Policies CS7 and CS13, and saved LP policies LQ1, LQ14, HN5 and BH3, collectively, and amongst other matters, seek to ensure that new development provides high quality living accommodation, with public and private spaces that are well designed and of sufficient size to meet the needs of their occupiers. The New Homes from Old Places Residential Conversion and Sub-division Supplementary Planning Document March 2011 (SPD) requires proposals to maximise all opportunities for the provision of outdoor amenity space, including consideration of the removal of extensions and outbuildings and the provision of roof terraces and balconies. It goes on to say that where meaningful amenity space cannot reasonably be provided, this may be compensated by a higher quality internal layout.
16. The existing yard is private but is small and enclosed at present by high walls. It could afford some provision for storage or drying of laundry. Both appeal schemes would increase the size of the front garden by demolishing an existing extension. This area could afford opportunities for sitting out, although it would not be private. Both schemes also seek to maximise the availability of amenity space further by introducing options for roof terraces/balconies. Appeal A would provide two new roof balconies, accessed via the second-floor bedroom, whilst Appeal B would provide one roof balcony accessed in the same way. Whilst I have found these features to be unacceptable for other reasons, they would provide additional private amenity space for future occupiers of a reasonable quality and size, which would not be overlooked. As such, both schemes attempt to maximise opportunities for outdoor amenity space as suggested by the SPD and provide options for meeting some basic day-to-day needs, albeit I accept there would be limited provision for children's outdoor play.
17. The existing two-storey extension at the host property is sizeable and of a good standard of design and construction. Given the above, it would not be reasonable to expect the removal of this extension to provide external amenity space, in addition to the demolition of the front extension.
18. Both Appeal A and Appeal B would provide a good quality internal layout, with generously sized lounge, dining and kitchen areas for both schemes, provided with adequate light and outlook. Therefore, whilst in both schemes, the overall level of private amenity space would remain relatively small for the size of accommodation proposed, provision is made that would provide for some day to day needs, opportunities for outdoor amenity space have been maximised, and the SPD allows compensation of any shortfall by the quality of the internal layout.
19. Both appeal schemes would provide an acceptable standard of living conditions for future occupiers overall, complying with LP Policies CS7 and CS13, saved LP policies LQ1, LQ14, HN5 and BH3 and the SPD, the requirements of which have been set out above. The proposal would also comply with the NPPF insofar as it requires the creation of places that promote health and well-being, with a high standard of amenity for existing and future users.

20. My attention has been drawn to appeal decision APP/J2373/W/21/3266724. Whilst I have had regard to this decision, the circumstances of that case for two flats at upper floor level are not directly comparable to the current appeals in relation to both the internal layout of the residential accommodation, and the level of outdoor space provided. As such, it does not alter my findings.

Other Matters

21. In relation to Appeal A and B, no interested parties raise any concerns relating to the proposal or any technical issues. The Council confirms that potential for overlooking to neighbours could be addressed suitably by the imposition of a condition for screening of the roof terrace forming part of Appeal A. These are neutral matters and cannot outweigh the harm identified in relation to the first main issue.
22. Reference is made to elements of the scheme potentially comprising permitted development, had the building already been in residential use. However, I must determine this appeal based on the facts at the present time and no lawful development certificate is before me confirming that any of the works are permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Conclusion

23. Both schemes would provide acceptable living conditions for future occupiers. However, this does not outweigh the unacceptable harm that both Appeal A and Appeal B would have on the character and appearance of the building and the area. For these reasons, both proposals would conflict with the development plan, and there are no other material considerations of sufficient weight to indicate a decision other than in accordance with the development plan. I conclude that Appeal A and Appeal B should be dismissed.

S Brook

INSPECTOR