



Appeal Decision

Site visit made on 2 March 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2023

Appeal Ref: APP/J2373/D/22/3312883

290 Queens Promenade, Blackpool FY2 9AZ

- 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 & Mrs Allvey against the decision of Blackpool Borough Council.
 - The application Ref 22/0637 dated 5 August 2022, was refused by notice dated 30 September 2022.
 - The development proposed is erection of a two storey side and rear extension with balcony to front, single storey rear extension and loft conversion following demolition of existing side garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council changed the description of development from that stated on the application form in the interests of clarity. I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted the amended description in the heading above.
3. Since the submission of the appeal the Blackpool Local Plan 2001-2016 (2006) has been superseded by the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (2023) (the Local Plan). In relation to this appeal Policies DM17 and DM20 of the Local Plan were referenced in the reasons for refusal. Policy DM20 is unchanged however Policy DM17 has been modified prior to adoption I understand the modification relates to revised wording with regards to heritage assets and their setting. The aims of Policy DM17 has not changed and the appeal before me does not relate to a heritage asset. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.
4. Works were ongoing at the property at the time of my site visit; however it is not known if this related to the appeal proposal before me or an alternative scheme.

Main Issues

5. The main issues in this appeal are the effect of the proposed two storey side extension on (i) the character of the area of the area; and (ii) the living conditions of occupiers of No. 288 Queens Promenade.

6. The Council did not raise issue with regard to the other elements of the proposed development from the information before me I do not disagree.

Reasons

Character and Appearance

7. The appeal site is a detached property within a predominantly residential area. In general, the streetscene in terms of form, design and materials vary, however in the immediate area properties are setback from the highway and are set at a higher level to the adjacent road. Gaps between properties positively contribute to the character of the area by separating large built forms which are at an elevated level, on a busy highway adjacent the tramway.
8. No. 288 Queens Promenade has a single storey extension which extends up to the shared boundary with the appeal site. The proposed two storey side extension is sympathetically designed however would extend the two storey built form to the shared boundary.
9. My attention has been drawn by the Appellant to extensions to properties within the area, photographs have been provided to allow me to assess these schemes against the proposal before me. Whilst I appreciate the photographs show extensions up to the shared boundary, none appear similar to the proposal before me. In any event each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.
10. The proposed development would be an unsympathetic addition to the immediate area by visually connecting the built forms of No. 288 and the appeal site, creating a bulky, prominent form of development. I find that the proposed two storey side extension would harm the character and appearance of the area.
11. There is conflict with Policy CS7 of the Blackpool Local Plan, Part 1: Core Strategy 2012-2027 (2016) (the Core Strategy) and Policies DM17 and DM20 of the Local Plan which seek amongst other things to ensure developments are well designed and have regard to the local area. There is conflict with the Extending Your Home Supplementary Planning Document (2007) (the SPD) which seeks to ensure developments respect character of the surrounding area.
12. There is also conflict with the National Planning Policy Framework (2021) (the Framework) which seeks amongst other things to ensure developments are of good design appropriate and sympathetic to their surroundings.

Living Conditions

13. There is an existing window in the side elevation of the appeal property facing No. 288. The proposed development would not include any windows in the side elevation facing No. 288. Whilst there would be a window in the rear elevation closer to the shared boundary, this would serve an ensuite and through the imposition of a planning condition could be fitted with opaque glazing. I therefore find that opportunities of overlooking towards No. 288 is limited and would be improved by the removal of the side window.
14. No. 288 is a substantially extended property with a modest courtyard for private amenity space to the rear, windows face the appeal site. The scale,

positioning and design of the proposed development would bring the built form closer to the neighbouring property. Whilst single storey buildings are already adjacent the shared boundary with No. 288 due to bulk of the two storey extension hard up to the boundary the proposed development would be dominant and overbearing to the occupiers of No. 288.

15. I conclude that the proposed two storey side extension would harm the living conditions of occupiers of No. 288 Queens Promenade.
16. There is conflict with Policy CS7 of the Core Strategy and Policies DM17 and DM20 of the Local Plan which seek amongst other things to ensure development protects the amenity of occupiers of neighbouring properties from overbearing impact. There is conflict with the SPD which seeks to ensure that extensions do not have an overbearing and enclosing impact on neighbours.
17. There is also conflict with the Framework which seeks to ensure developments have high standards of amenity for existing and future users.

Conclusion

18. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR