



Appeal Decision

Site visit made on 1 August 2023

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 10 August 2023

Appeal Ref: APP/J2373/D/23/3323867

236 Queens Promenade, Blackpool FY2 9HA

- 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 Paul Rees against the decision of Blackpool Council.
 - The application Ref 23/0094, dated 13 February 2023, was refused by notice dated 6 April 2023.
 - The development proposed is balcony to front and conversion of garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the description of the proposal from the application form in the banner heading above. However, it is more accurately and fully described in the decision notice as installation of first floor glass balcony to front, application of render to rear wall and garage, formation of parking to front and alterations to front garden wall to create additional access.
3. Amended plans (ref A022/235/P/02 rev A) have been submitted with the appeal to illustrate the set back of gateposts and gates by 2m and retention of the side boundary hedge. Although the Council has not been provided with the opportunity to comment on the revised plans, the amendments do not materially alter the proposal and I have taken them into account.

Main Issues

4. The main issues are the effects of the proposal on:
 - i) The character and appearance of the area; and
 - ii) The living conditions of neighbouring residential occupiers.

Reasons

Character and appearance

5. The appeal property is a distinctive 2 storey detached dwelling finished in brick and render with architectural details including a decorative string course and brickwork course between ground and first floors. It also features a double height bay window to its principal elevation with a pitched roof gable extending from the main hipped roof. Its frontage, which includes car parking and soft landscaping, is separated from the footway by a decorative brick boundary wall. The dwelling forms part of a row of non-matching properties in a range of styles, sizes and ages.

6. The Council has no concerns in relation to the proposed render to the rear wall or to the garage. As these are not prominent in the street scene, I see no reason to disagree.
7. The proposed balcony would span the full width of the principal elevation of No 236 and it would protrude out by some 3.2m. It would sit at the level of, and it would obscure, the decorative brick course above the ground floor bay and the front door. The glazed balcony balustrade would finish part way up the first floor bay window. The first floor bedroom window to the side of the bay would be replaced by glazed doors that would not match the existing front elevation windows. Notwithstanding that it would be glazed, the balcony would be a substantial and prominent addition that would be out of keeping and poorly related to the distinctive front elevation. It would be a visually obtrusive feature that would detract from its host and it would diminish the positive contribution that the appeal property makes to the visual amenity of the area.
8. I am aware that nearby properties have single storey projections to front elevations. Moreover, balconies are not uncommon along the Promenade. However, the nearby properties are not directly comparable to No 236 in terms of style or appearance. Consequently, even if projections and balconies elsewhere benefit from planning permission or were considered in the same policy context, they do not provide a justification for the proposal.
9. The appellant had planned to replace the decorative stringer course with render, but now proposes to repair and retain it. Undoubtedly, it contributes to the character and appearance of the property and its retention is therefore desirable. Nevertheless, on the basis that the stringer could be removed without planning permission, there would be little guarantee that future occupiers would retain it. As such, it does not weigh in favour of the scheme.
10. The front boundary wall would be reduced in length to accommodate a second gateway and there would be additional hardstanding. The frontage would be dominated by car parking and there would be little in the way of planting to soften or screen the proposal. I acknowledge that frontages elsewhere, including the neighbouring terrace of apartments and hotels, are dominated by car parking. In this context, the remaining vegetated front gardens provide a welcome visual relief to the hard built environment and they make a positive contribution to the character and appearance of the street scene. Consequently, the proposed loss of green infrastructure and the cumulative increase in hardstanding frontages would be detrimental to visual amenity.
11. While the amended plans illustrate that the side boundary hedge would be retained, the originally proposed hardstanding area and gateway would need to be reduced to accommodate it. Even if the hedge could be retained without compromising the proposed new access, in the absence of amended elevation plans I cannot be certain that the necessary narrowing of the gateway would not be visually discordant. In any case, retention of the side boundary hedge would not overcome the harm to visual amenity.
12. I accept that the front garden may already comprise greater than 50% hardstanding, but that does not justify further significant increase in the extent of hardstanding at the expense of soft landscaping. The appeal property is in an urban area in an exposed and windswept coastal location. While the front garden is therefore likely to be of relatively low biodiversity value, and the proposal would not result in a significant loss of biodiversity, nevertheless in

the absence of compensatory planting the proposal would harm visual amenity and it would not provide biodiversity gains. In this regard, the appellant suggests that compensatory tree planting could be provided to the rear of the property. However, even if trees could be accommodated and retained, planting to the rear would not mitigate the visual impact of the proposal.

13. Therefore, I conclude that the proposal would harm the character and appearance of the appeal property and the area. It would conflict with Policy CS7 of Blackpool Local Plan Part 1: Core Strategy (2012-2027) Adopted January 2016 (the LP1) and Policies DM17, DM20, DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies Adopted February 2023 (the LP2). These require, among other things, that development is well designed having regard to the original building and its surroundings; enhances positive character of the area; and contributes to green infrastructure and biodiversity, including landscaping to screen and soften hard surfaced areas. It would also conflict with the design aims of the Extending Your Home Supplementary Planning Document (the SPD) Adopted November 2007.

Living conditions

14. The balcony would project roughly 3.2m from the front elevation of the appeal property and it would be surrounded by a glass balustrade roughly 1m tall. There would be unobstructed views towards habitable room windows in the neighbouring properties Nos 234 and 238. The close overlooking and consequent loss of privacy would be significantly detrimental to the neighbouring residential occupiers on both sides of the appeal property.
15. The appellant suggests that the inclusion of privacy screening could overcome the harm to the neighbours. However, the glass balustrade would be a low feature and privacy screening to this height would not prevent overlooking into the neighbours' habitable rooms. No amended plans have been provided to demonstrate the acceptability of taller privacy screen balustrades either in terms of residential or visual amenity. As such, I am not satisfied that this is a matter that could be addressed by the imposition of planning conditions.
16. Therefore, I conclude that the proposal would harm the living conditions of neighbouring residential occupiers, with particular regard to overlooking and loss of privacy. It would conflict with LP1 Policy CS7 and LP2 Policy DM20 including in relation to avoiding adverse and unacceptable impacts on neighbour amenity. It would also conflict with the residential amenity aims of the SPD and the National Planning Policy Framework.

Other Matters

17. The Highway consultee has no objection in principle subject to the large gates and gateposts being set back 2m from the footway, using the next door property as a template. The amended plans illustrate that this could be achieved. However, this weighs neither for nor against the proposal.
18. The proposed frontage treatment would enable vehicles to enter and exit the property in forward gear. I note the suggestion that this would be an overriding benefit in terms of highway safety. However, there is little evidence of incidents or accidents on this stretch of road or that the existing arrangement

compromises the safety of highway users. Therefore, based on the evidence before me, this is not a matter that weighs in favour of the scheme.

Conclusion

19. For the reasons set out above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
20. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester BSc MSc PhD MIEnvSc

INSPECTOR