



Appeal Decision

Site visit made on 18 February 2025

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 June 2025

Appeal Ref: APP/J2373/W/24/3356073

25 Daggers Hall Lane, Blackpool FY4 4AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Daniel Simmons against the decision of Blackpool Council.
 - The application Ref is 24/0466.
 - The development proposed is erection of stables in rear garden for horses and landeau equipment ancillary to applicants business on Blackpool promenade.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Prior to the determination of this appeal, a new version of the National Planning Policy Framework (the Framework) has been published. The substantive matters of the case before me are not however affected by the changes. I do not therefore feel any of the main parties' cases would be prejudiced by me proceeding without further consultation thereon.
3. On my site visit I saw that the buildings and hardstanding had been constructed although the external walls were unfinished. I have determined the appeal on this basis.

Main Issues

4. The main issues are:
 - Whether the site is a suitable location for the proposed development, having regard to the character and appearance of the site and its surroundings;
 - the effect of the proposal on the living conditions of the occupiers of 25 Daggers Hall Lane with regard to the availability of outdoor amenity space; and
 - the effect of the proposal on the living conditions of neighbouring occupiers at 23 Daggers Hall Lane and the flats to the rear in Bostonway with regard to outlook, noise and odour.

Reasons

Character and Appearance

5. The appeal site is a semi-detached bungalow, situated in a predominantly residential area, with detached and semi-detached dwellings on Daggers Hall Lane and flats to the rear. The site was historically in mixed use, as a market garden including greenhouses, but has most recently been in residential use. The stables and storage buildings will be used alongside the existing bungalow, so a new mixed

- residential and commercial use will be created. There are existing stables at the neighbouring property, No 27, which have been in use for a number of years and which the appellant has been until recently, using to operate his business.
6. The proposal will accommodate four horses which will be stabled on the site during the tourist season when the landau carriages are in operation. During other times of the year the horses would be stabled elsewhere. Whilst there would be a reduction in the impact on the residential character, the building and storage of landaus would remain at all times.
 7. Whilst there are limited views of the proposal from Daggers Lane due to its position to the rear of the dwelling, the commercial use of the stables erodes the residential character of the area with the additional comings and goings associated with the use, over and above the use of the property solely as a residential dwelling. This would be exacerbated with the commercial stables at the neighbouring property with the potential of increasing the commercial activity in the area.
 8. I acknowledge that there are outbuildings in the rear gardens of several dwellings in the vicinity of the proposal including at No 23, and the appellant's former stables at No 27. However, the bulk and massing of the proposal and its greater depth close to the shared boundaries with neighbouring properties results in overdevelopment of the site. Together with the impact on residential character of the stables, this is not therefore a suitable location for the development.
 9. I have had regard to the locations of other stables that I have been referred to. However, I note that there are clear material differences between the proposal and the individual circumstances surrounding these. The other horse and carriage stables are separate and some distance each other, reducing the impact of them on the residential character of the area. In addition, I have determined the appeal on the site-specific circumstances of the site.
 10. I conclude that the proposal is not be a suitable location for the proposed development, having regard to the character and appearance of the site and its surroundings. It conflicts with Policies CS7 and CS12 of the Blackpool Local Plan Part 1:Core Strategy 2012-2017 (CS) and Policies DM17 and DM20 of the Blackpool Local Plan Part 2:Site Allocations and development management Policies 2012-2017 (SADMP) which together and amongst other matters seek to ensure that development enhances the character and appearance of the local area.

Living Conditions of the Occupiers of 25 Daggers Lane

11. The stables, storerooms and associated hard surfacing will be used in connection with the appellant's business, and he will continue to reside in the bungalow. However, the building will cover the majority of the rear garden area of the property, leaving only a small area directly to the rear of the dwelling and a small area to the front available for private open space. This area provides limited space for sitting out, drying washing and other domestic activities and is of insufficient size with regard to the size of the dwelling. This resultant limited size of the outdoor space therefore significantly harms the living conditions of the occupiers of No 25.
12. The proposal therefore has a significantly detrimental effect of the living conditions of the occupiers of 25 Daggers Hall Lane with regard to outdoor amenity space. It conflicts with Policies CS7 and CS12 of CS and Policies DM20 and DM36 of the

SADMP which together, and amongst other matters, seek to ensure that development does not result in inadequate levels of private amenity space.

13. Policy DM17 is concerned with design principles for development and therefore it is not relevant to the consideration of this main issue.

Living Conditions of Neighbouring Occupiers

14. Although the existing outbuildings and stables at No 27 are closer to the flats in Bostonway at the rear, they are viewed obliquely from the flats whereas the proposal is in the direct view of residents of the flats. The size and scale of the stables are overbearing in the outlook from the flats due to the height and length of the building when viewed from them.
15. Whilst there are existing outbuildings to the back of the garden area of No 23, the proposal extends considerably further along the shared boundary. Due to the height and massing close to the shared boundary leading to overshadowing and enclosing the garden area of No 23, it substantially harms the living conditions of the occupiers.
16. The stables will accommodate four horses and landaus during the tourist season and according to the appellant the horses will be stabled off site during the off-season, which could be controlled by imposing a suitably worded condition were the appeal to be allowed. There are existing stables and storage facilities at No 27 which have been in situ for several years. Whilst I accept that there may not have been any complaints about their usage including noise and odour, the introduction of additional facilities will lead to an intensification of use in the local area, with a potential increase in the number of horses in the local area and associated comings and goings. Additional noise would be generated from the large expanse of tin sheets used in the construction of the flat roof during inclement weather. Whilst residential outbuildings may be constructed from similar materials, the large expanse of material would exacerbate the noise.
17. Even though the appellant will no longer be able to use the facility, there is no mechanism before me to ensure that the stables and storage areas are removed which would lead to an intensification of the use in the area. There is also no substantive evidence before me to indicate that the appellant would not maintain and keep the premises in a clean and tidy condition. However, were I to allow the appeal, the resultant permission would be permanent and connected with the occupation of No 25, the owner of which is likely to change over time.
18. The proposal results in unacceptable harm to the living conditions of neighbouring occupiers at 23 Daggers Hall Lane and the flats to the rear in Bostonway with regard to outlook, noise and odour. It conflicts with Policies CS7 and CS12 of CS and Policies DM20 and DM36 of the SADMP which together and amongst other matters seek to ensure that development does not have an unacceptable impact on neighbour amenity and is compatible with adjacent existing uses.
19. Policy DM17 is concerned with design principles for development and therefore it is not relevant to the consideration of this main issue.

Other Matters

20. I have had regard to the comments in support of the proposal made by interested parties with regard to the use of the stables. I also acknowledge that the manure is

used by the local allotments as an important source of fertiliser. This does not however absolve me from making an assessment of its effect in regard to the main issues that have been identified. I have done so and found it to conflict with the development plan for the reasons I have given.

21. I understand that the appellant considers that the height of the building could be permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the GPDO). Even so, he has applied for planning permission and I have determined the appeal on that basis. Nevertheless, I am mindful that Permitted Development rights can provide a fallback position and thereby be a material consideration in the making of planning decisions. In this case, it has not been demonstrated that the proposal meets the relevant requirements of the GPDO. On this basis, permitted development rights in relation to the premises carry limited weight in favour of the scheme.
22. I accept that the continuation of the landau business is important to the Blackpool tourist economy in general and to the appellant in particular as his livelihood. I acknowledge that the business takes place on the sea front, that stabling close to the sea front is necessary and that stabling at the appellant home will reduce the need for transportation of horses. However, there is limited substantive evidence before me that this is the most appropriate location for the proposal.
23. I note that the appellant is willing to amend the proposal to overcome issues relating to boundary impacts, materials or noise management. However, these are not before me, and I have determined the appeal based on the scheme that was considered by the local planning authority and by interested parties at the application stage.

Planning Balance and Conclusion

24. The proposal would meet the economic, social and environmental objectives of the Framework in supporting a local business, Blackpool's cultural and heritage identity, the use of horses as a form of transportation and making effective use of land. In addition, the dwelling would be occupied in conjunction with the stabling facility, maintaining its use as a dwelling. Due to the scale these matters attract moderate weight in support of the proposal, however this does not outweigh the harm I have found to the character and appearance of the area and to the living conditions of the occupiers of No 25 and the neighbouring occupiers, to which I afford significant weight. There are thus no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. The appeal should therefore be dismissed.

H Senior

INSPECTOR