



Appeal Decision

Site visit made on 23 September 2025

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2025

Appeal Ref: APP/J2373/D/25/3371639

134 Fleetwood Road, Blackpool FY5 1RD

- 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 Paul Swan against the decision of Blackpool Council.
 - The application Ref is 25/0301.
 - The development proposed is described as 'a double driveway within the front garden with a crossing over the public footpath following partial demolition of dwarf wall.'
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Decision

1. The appeal is allowed and planning permission is granted for a double driveway within the front garden with a crossing over the public footpath following partial demolition of dwarf wall at 134 Fleetwood Road, Blackpool FY5 1RD, in accordance with the terms of the application, Ref 25/0301, subject to the following conditions;
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following drawings;
Site location plan – SK/32/1
Proposed plan – SK/32/03B
Proposed site plan – SK/32/04B
Existing and proposed front elevations – SK/00/1B
 - 3) The surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority, prior to the laying down of any final surfacing. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Procedural Matters

2. The description in the banner heading above is taken from the planning application form without the reference to a previous scheme as it is not an act of development.
3. A previous planning permission for a similar development at the appeal site was not implemented and has thus lapsed¹. It is clear from the evidence that this decision was made under a different planning policy context such that it does not

¹ Planning application reference 16/0214 for the formation of a vehicle crossing following part removal of front boundary wall.

carry significant weight as a material consideration. I have therefore assessed the proposal before me in relation to the adopted development plan which comprises the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (LP Part 2) 2023, as well as other guidance.

Main Issues

4. The main issues in this appeal are the effect of the proposal upon i) the character and appearance of the area and ii) highway safety.

Reasons

Character and Appearance

5. The appeal site comprises a detached bungalow of an individual double fronted design. Whilst the street predominantly contains 2-storey semi-detached house types within the street scene, there are some variations to that pattern at the end and within the row, including the appeal site. All of the dwellings are set behind a pavement and wide verge planted with street trees. Combined with the Fleetwood Recreation Ground on the opposite side of the road, the area has a spacious, verdant appearance. As a detached property of some architectural character set behind a landscaped garden, the appeal site contributes positively to the character and appearance of the area.
6. The Council's concern regarding the possibility of creating a precedent is understood. Nevertheless, it is important to understand the specific context of the appeal site. Here, the majority of dwellings along this row between Wilson Square to the north and Mosson Lane to the south, already benefit from a private driveway accessed via a crossover from the carriageway edge. As such, access points from the highway across the verge, form part of the established character of the area. Whilst the appeal site is not the only dwelling without vehicular access within the front garden, it is nonetheless, in the minority².
7. The proposal seeks to create 2 parallel car parking spaces within the front garden. As half of the area would be retained as lawn, I am satisfied that the car parking area would not result in the hard surfacing of more than 50% of a residential garden. Whilst no new soft landscaping is proposed, the retention of a good-sized landscaped area would prevent the car parking area dominating the front of the dwelling in views from within the street scene. The retention of part of the front wall would ensure that the gap is no wider than other openings for adjoining driveways within the street scene.
8. The creation of a vehicle crossover would result in the loss of a section of grass verge. However, the Council has not demonstrated that this is a distinguished landscape feature or that the loss would significantly undermine the objectives of the Greening Blackpool Supplementary Planning Document (2025) which aims to increase green infrastructure as part of new development. The proposed crossover would not be as wide as the proposed car parking area and it would avoid 2 nearby street trees which would serve to soften and filter views of the appeal site when in leaf. The wide depth of the verge would further assist in mitigating the visual impact of the proposal. I am satisfied that the development

² During my visit I observed that No 138 Fleetwood Road has pedestrian access only to the dwelling with parking occurring on the crossover.

would not appear wholly uncharacteristic of the street scene in which it would be viewed.

9. For the above site-specific reasons, the proposal would not adversely affect the character and appearance of the area. It would accord with Policies DM17 and DM21 of the LP Part 2. These policies seek to ensure development is of a high quality, responds to the characteristics of the local area including the pattern and arrangement of buildings and boundary treatments and does not involve the hard surfacing of more than 50% of a garden.

Highway Safety

10. The Council advises that its Footways Crossings document and Extending Your Home Supplementary Planning Document (SPD) require turning space to be provided within the site if situated on a classified road. That would not be the case here. However, I am mindful that this is guidance and it is necessary to consider the site-specific circumstances.
11. Although a snapshot in time, during my visit I observed that traffic using Fleetwood Road was relatively frequent but vehicle speeds were restricted to 30mph. Very limited on-street car parking was occurring and solely on the side of the dwellings, some of which appeared to relate to the appeal site. The accesses to the recreation ground and sports facilities nearby are some distance from the appeal site. The straight alignment and width of the road and comparatively flat topography in this location, would mean that visibility of oncoming traffic from the proposed access would not be unacceptable.
12. Even if cars had to reverse onto the road from the proposed parking area, the verge is sufficiently wide to accommodate a waiting car without preventing the free flow of traffic or pedestrians. Reversing manoeuvres would not be significantly different from those undertaken by the occupiers of adjacent dwellings. Vehicles could wait alongside the kerb until it was safe to make such manoeuvres without blocking the free flow of traffic. I am mindful that the vehicle movements associated with one dwelling would be limited. Moreover, the Council and Highway Authority have not provided any compelling evidence to demonstrate that the new access would be inherently unsafe.
13. Appeal decision APP/J2373/D/25/3360538 for a similar proposal was dismissed on highway safety grounds. However, the description of that site indicates a more densely developed area with the added complexity of several nearby side junctions and parked cars on both sides of the street. I do not find the circumstances comparable to those before me.
14. Reference is made to a site where owners were parking to the front of their property on an 'A' road that supported 35,000 vehicles a day, where no other dwellings had dropped kerbs. Although acknowledging that the use of that access resulted in an accident and police prosecution, there is no substantive evidence before me to demonstrate that Fleetwood Road carries the same volume of traffic. Moreover, I have observed that dropped kerbs and driveways are a feature of this section of Fleetwood Road and the Council has not directed me to any evidence of incidents or accidents that have occurred in the vicinity of the appeal site.

15. I find that the proposal would not result in an unacceptable impact on highway safety. It would therefore comply with Policy DM41 of the LP Part 2 which requires amongst other things, a safe and appropriate connection to the road network.

Other Matters

16. The Council's position with regard to biodiversity is unclear. Although it suggests that the loss of front garden and verge would result in an impact on biodiversity, it goes on to advise that the proposal would not affect any features of particular ecological interest or trees of significant value³. With no evidence to the contrary, it therefore follows that the proposal would not be contrary to LP Part 2 Policy DM35.
17. I have found the proposed development to be in accordance with the development plan for the reasons given. Consequently, it is not necessary to give weight to any personal circumstances of the appellant or their family⁴, as they would not affect my decision.
18. There is no evidence that the creation of a small area of hardstanding would lead to excessive surface water run-off that would result in flooding to the detriment of highway safety. The appeal site is flat and the verge and pavement form intervening features before the carriageway edge. A planning condition requiring surfacing to be agreed would enable the consideration of porous materials that would assist surface water drainage.

Conditions

19. Along with the standard time limit and to list the plans in the interests of certainty, I have attached a condition requiring the appellant to submit details of the proposed surfacing materials to the Council for written approval in the interests of character and appearance and highway safety.

Conclusion

20. For the reasons outlined above, the appeal is allowed.

M Clowes

INSPECTOR

³ As cited at paragraph 7.5.2 of the Council's officer report.

⁴ As required by the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010.