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## Appeal Decision

Site visit made on 26 January 2016

by **B Bowker Mplan MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 March 2016

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**Appeal Ref: APP/J2373/W/15/3136185**  
**5 Penhill Close, Blackpool, Lancashire FY2 0XP**

- 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 Geoffrey Cowling against the decision of Blackpool Borough Council.
  - The application Ref 15/0022, dated 8 January 2015, was refused by notice dated 30 July 2015.
  - The development proposed is a detached garage/workshop to bungalow conversion with extension.
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### Decision

1. The appeal is dismissed.

### Procedural matter

2. The Council adopted the Blackpool Local Plan Part 1: Core Strategy (CS) on 20 January 2016. Both parties were given an opportunity to comment on the effect of the CS on the appeal proposal. Accordingly, the appeal has been determined on the basis of relevant CS policies highlighted by the Council.

### Main Issues

3. The main issues are:
  - The effect of the proposal on the living conditions of future occupants and surrounding neighbours, with particular regard to privacy; and,
  - The effect of the proposal on the character and appearance of the surrounding area.

### Reasons

#### *Living conditions*

4. The appeal site is located at the head of a cul-de-sac which is made up of predominantly two storey detached dwellings but with a detached bungalow to the west of the site. The appeal proposal involves the extension and conversion of a domestic detached garage into a bungalow. The garage and area that comprise the appeal site is currently within the curtilage of 5 Penhill Close.
  5. The side extension element of the proposal would result in the bungalow being sited close to the boundary of 4 Penhill Close. This boundary is currently open
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and marked by a low garden bed wall. Whilst the distance between the bungalow and windows at No 4 would be more than 20m, the open boundary would allow future occupants direct views into the adjoining garden from the bedroom window. In addition, the entrance to No 4 is reached via a driveway that adjoins the garden, which indicates this area is well used.

6. Therefore, frequent and direct views both from and into the bedroom would have a harmful impact on privacy for future occupants of the bungalow and for neighbours at No 4. Whilst a condition requiring a boundary fence could prevent this loss of privacy, such an enclosure would have an unacceptable impact on the outlook for occupiers from the bedroom window. Similarly, a condition requiring obscure glazing to the bedroom window would harm the outlook for future occupants.
7. Although the height of the bungalow would be slightly increased in context of the existing garage, the fence along the rear boundary of the appeal site would ensure privacy for neighbours at Warley Road. Moreover, the height of the skylight window from the ground floor and frosted glazed window to the rear elevation would prevent opportunities for future occupants to overlook neighbours at Warley Road.
8. I conclude that the development would result in an unacceptable impact on living conditions with regard to privacy for future occupiers of the proposed bungalow and for occupants at 4 Penhill Close. Therefore, the proposal is contrary to Policy CS7 of the CS which seeks, amongst other things, to ensure that development does not have unacceptable effects by overlooking.

#### *Character and appearance*

9. The side extension element of the proposal would be sited in an open section of the cul-de-sac. The neighbouring garden area contributes to this openness and would ensure that a sufficient visual gap between the bungalow and No 4 remains. The resultant gap would still be larger than those between other dwellings at the cul-de-sac and the loss of garden area to the front and side extension elements of the proposal would be minor in scale. The plot size and width of the bungalow would be comparable to other dwellings in the vicinity of the cul-de-sac, particularly the width of the semi-detached pair of bungalows opposite Penhill Close. Furthermore, sites highlighted by the appellant demonstrate a variation in plot sizes, site coverage and building widths in the surrounding area. Therefore, the proposal would maintain the openness of the cul-de-sac and not appear cramped.
10. The bungalow would be viewed against a back drop of two storey dwellings located to the rear of the appeal site and the single storey height of the proposal would be in keeping with the bungalow at No 4. Therefore, in context of the surrounding area, the scale of the proposal would be complementary. The resultant parallel driveways would not be an uncommon sight and therefore not a prominent feature in the cul-de-sac. Design and construction materials proposed would be complementary to the surrounding area and help the bungalow blend with surrounding dwellings. The Council have raised no concern regarding the replacement garage to the side of No 5 and I also have no concern regarding its visual effect on the surrounding area.
11. I conclude that the proposal would have an acceptable effect on the character and appearance of the surrounding area. The proposal is therefore in

accordance with Policies CS7, CS12 and CS13 of the CS, and paragraphs 17 and 56-65 of the National Planning Policy Framework insofar as these policies seek to ensure that housing development is high quality in design and respects the character and appearance of the surrounding area.

*Other matters*

12. The appellant notes a number of benefits in support of the appeal. These include the proposal's contribution to housing supply, support from local residents, and the visual improvement from replacing the garage/workshop. I also acknowledge the sustainable location of appeal site. However, these benefits are outweighed by the harm identified regarding living conditions.
13. I have also had regard to decisions referred to in the surrounding area. However, these decisions are referred to in order to contest the Council's issue relating to plot size and I have found no harm relating to this matter. Moreover, this appeal has to be determined on its own individual merits.
14. Whilst a lack of 5 year supply of housing land is raised by the appellant, the Council's evidence and recent adoption of the CS demonstrates they can meet this requirement.

**Conclusions**

15. Although the proposal would not have a harmful effect on the character and appearance of the surrounding area, this is outweighed by the harmful impact to the living conditions of future occupants of the bungalow and neighbours at No 4.
16. For the reasons given above, and having taken all matters raised into account, I conclude the appeal should be dismissed.

*B Bowker*

INSPECTOR