
Appeal Decision

Site visit made on 12 December 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 09 January 2018

Appeal Ref: APP/J2373/W/17/3180571
336 Queens Promenade, Blackpool FY2 9AB

- 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 Martin Watkins against the decision of Blackpool Borough Council.
 - The application Ref 16/0349, dated 10 June 2016, was refused by notice dated 15 February 2017.
 - The development proposed is conversion of roof space and roof lift.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would provide suitable living conditions for future occupants;
 - the effect of the proposed development on the living conditions of 334 Queens Promenade with particular regard to outlook, privacy, sunlight and daylight; and,
 - the effect of the proposed dormer extension on the character and appearance of the area

Reasons

Living conditions of future occupants

3. The appeal property is a former seafront hotel within a terraced row of similar properties on Queens Promenade. The properties have outriggers to the rear. The appeal property is comprised of two storeys with further accommodation in the roof of the main part of the property. The outrigger to the rear of the appeal property is semi-detached with the adjacent property 338 Queens Parade. A similar outrigger extends to the rear of 334 and 332 Queens Parade, a property which has been converted into flats.
4. The appeal property has been converted from its former hotel use and now comprises five self-contained flats. The proposed development would create additional accommodation through the addition of a new dormer on the rear roof slope of the main part of the property and raising the roof on the appeal

- property part of the outrigger. This would create a two bedroomed apartment over two floors and would comprise one double and one single bedroom.
5. Policy CS13 of the *Blackpool Local Plan part 1 - Core Strategy* (the Core Strategy) sets out requirements for the mix, density and standards relating to new housing. This includes the need to provide quality living accommodation, and reference is made in the supporting text to the *Technical housing standards - nationally described space standard* (the NDSS). This accords with the written ministerial statement of 25 March 2015 which requires the standards to be referred to in an adopted plan if they are to apply.
 6. The Council adopted a supplementary planning document, *New Homes from Old Places* (the NHOPSPD) prior to the publication of the NDSS. The NHOPSPD was prepared with a specific objective of providing guidance on proposals to convert and sub-divide former hotels and guest houses and is referenced in Policy CS13. Although pre-dating the publication of the NDSS and the National Planning Policy Framework (the Framework), its general principles relate to CS13 and are consistent with the Framework in seeking to improve the quality of new housing and adopting local standards. I have therefore afforded it considerable weight in terms of general principles, but not the specific space standards contained within it as these have been superseded by those in the NDSS.
 7. There is not agreement between the parties on the size of the proposed additional accommodation. The appellant considers it to be 69 sqm whilst the Council considers it to be 64.5 sqm having used specialist software and the submitted drawings. However, both figures are below the minimum size for a two bedroomed, three person dwelling of two storeys, of 70 sqm set out in the NDSS.
 8. The NDSS requires a double bedroom to have a floor area of at least 11.5 sqm. The proposed double bedroom would be 10.6 sqm although if the area behind the door was to be included the requirement would be met. The single bedroom meets the minimum NDSS requirements. Both bedrooms meet the width requirements set out in the NDSS. I consider that the sizes of both bedrooms are consistent with the requirements of the NDSS.
 9. The proposed kitchen area would have a window facing out to the rear but the lounge area of the proposed development would not be served by any windows, only rooflights. On balance I consider this would not be harmful to outlook given the presence of the kitchen window and the size of the proposed accommodation.
 10. The outlook from the bedroom windows of the proposed development would be towards the roofslope of the neighbouring property. However, I do not consider this to be unduly harmful to the living conditions of the future occupants. I also consider that the existing and proposed staircase provision, would not be contrary to any planning policy or standard before me, and would therefore I consider that it would not be harmful to the living conditions of the future occupants
 11. Overall for the reasons set out above, I consider that there would be harm to the living conditions of future occupants as a result of the overall floorspace requirements not being met when considered against the NDSS, contrary to Policy CS13 of the Core Strategy.

12. I have not found conflict with the NHOPSPD as the specific space standards in that document have been superseded by those in the NDSS.

Living conditions of the occupants of 334 Queens Promenade

13. The proposed development would have three windows on the elevation facing the outrigger at 334 Queens Promenade. One of the windows would serve a bathroom and would be obscured glazed, the other two would serve bedrooms. The distance between these windows and the existing windows on the neighbouring outrigger would be 3.9m. These windows serve habitable rooms at 334 Queens Promenade. Although the proposed windows are at a higher level than those on the neighbouring property, they would nevertheless introduce the potential for overlooking at close quarters, thereby causing harm to the privacy of the occupants.
14. The proposed development would raise the height of the existing outrigger. Although this is on the northern side of the neighbouring property and may not have a detrimental impact on sunlight, it would create a significant canyon type effect and would have a harmful impact on the level of daylight into the existing habitable room windows at 334 Queens Promenade.
15. I therefore conclude that the proposed development would be unduly harmful to living conditions of the occupants of 334 Queens Promenade with regard to overlooking, daylight and privacy, contrary to Policy CS7 of the Core Strategy which seeks well designed development which should, amongst other things, ensure that the amenities of nearby residents are not adversely affected.

Character and appearance

16. The proposed dormer would sit below the ridge line of the main part of the property but would be a significantly large extension, occupying around 65% of the rear slope of the roof. The Council's supplementary planning document *Extending Your Home* (the EYHSPD) expects rear dormer extensions to not occupy more than 35% of the relevant roof slope. Although the EYHSPD relates to residential properties and the appeal property is a former hotel, I consider it has relevance as a design guide and have therefore placed considerable weight upon it.
17. The part of the block immediately to the north of the appeal property has a group of dormers on its rear roof slope but they are small relative to the size of the roof slope. The roof of that part of the block is higher than the appeal property but the dormers are significantly less intrusive than the proposed dormer would be. The proposed dormer would be flat roofed and would by virtue of its size and form, appear as a jarring and incongruous feature in the roofscape.
18. This sense of jarring would be heightened by the proposed kitchen window not being aligned to the position of the existing windows on the appeal property. It would also break up the clear distinction between the two parts of the block as they currently exist. The subordinate dormers of the higher part of the block to the north do not detract from this appearance as they are subservient but the introduction of the proposed dormer on the southern and lower part of the block would appear over dominant in the roofscape. The appearance and character of the rear roofslope therefore would be eroded.

19. I therefore conclude, for the reasons above, that the proposed dormer would be significantly harmful to the character and appearance of the area, contrary to Policy CS7 of the Core Strategy which seeks to achieve well designed development which would enhance the character and appearance of the local area. It would also be contrary to saved Policy LQ1 of the *Blackpool Local Plan* (the Local Plan) which expects development to have a high standard of design and contribute positively to the quality of the surrounding environment, and saved policy LQ14 of the Local Plan which sets out criteria for the consideration of proposals for extensions and alterations including roof extensions.
20. The proposed development would also be contrary to the provisions of the EYHSPD.

Conclusion

21. I have found the proposed development would not provide suitable living conditions for future occupants in that the overall accommodation would fall below the space standard set out in the NDSS. The size of the accommodation floorspace is disputed between the parties, although both calculations are below the NDSS. However, even if I had found that the proposed development would provide suitable living conditions for future occupants it would still be unduly harmful to the living conditions of the occupants of 334 Queens Promenade with regard to overlooking, privacy and daylight, and the proposed dormer roof extension would be significantly harmful to the character and appearance of the area. This harm is not outweighed by the benefits of the provision of an additional residential unit.
22. For the above reasons, and having considered all matters raised, I conclude that the appeal should be dismissed.

Mike Worden

INSPECTOR