
Appeal Decision

Site visit made on 25 April 2019

by R. Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2019

Appeal Ref: U2370/W/19/3219903

29-31 Coronation Road, Thornton Cleveleys FY5 1DQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Raj Shah of Movern Care Centre against the decision of Wyre Council.
 - The application Ref 18/00643/OUTMAJ, dated 27 June 2018, was refused by notice dated 6 December 2018.
 - The development proposed is outline application for the erection of a 48 bedroom nursing home (Use Class C2) (following demolition of the existing dwellings) with access, layout and scale applied for (all other matters reserved).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline with appearance and landscaping reserved for future consideration. Whilst the appearance of the development shown on the '*Proposed Elevation*' drawing does not form part of the formal application, the elevation none-the-less shows the scale of the building. I have determined the appeal on this basis, treating the proposed appearance of the building as indicative.
3. The address entered on the planning application form is 31 Coronation Road, which differs from the Council's decision notice which also includes 29 Coronation Road (No 29). From my site visit and the Site Location Plan submitted with the planning application, the site does include No 29 and therefore to ensure the site is properly identified I have included it in the address above.
4. The planning application form describes the development as '*erection of a four storey 56no. bedroom care home.*' In part E of the appeal form, it is stated that the description of development has not changed. Nevertheless, a different wording that reflects the Council's decision notice is entered. Although neither of the main parties have provided written confirmation that a revised description of development has been agreed, the amended wording accurately describes the appeal proposal before me. Accordingly, I have used it in the banner heading above.
5. On 28th February 2019, the Council adopted the Wyre Local Plan (2011-2031), which has replaced the saved policies of the Wyre Borough Plan 1999, to which the Council's reasons for refusal and the appellant's evidence refer. As the now

adopted policies are not materially different to the publication draft referred to in the decision notice, neither party has been prejudiced by this change in policy circumstance.

6. Subsequent to the date of the Council's decision, the Government published its revised National Planning Policy Framework (the Framework). Having considered the role and content of revisions, I do not consider it necessary to re-consult the main parties about this change in national policy in relation to this case.

Main Issues

7. The main issues are the effect of the proposed development on the i) character and appearance of the area, and ii) living conditions of neighbours facing the site, with regard to privacy.

Reasons

Character and appearance

8. The proposal is to demolish the two existing detached residential buildings at Nos 29 and 31a Coronation Road and erect a 48 bedroom care home over 3 and 4 storeys. The existing buildings are single storey, albeit No 31a has accommodation in the roof space. They are of markedly different scale to the adjoining building at 11 to 13 Promenade South (No. 11-13) which is 5-storeys in height, located on the corner of Promenade South and Coronation Road.
9. The surrounding area is characterised by large, imposing buildings fronting Promenade South, which then return down the side streets. No.11-13 is an example of this pattern of development. The side streets are much more modest in scale, predominantly comprising 2-storey houses. The proposed development is part 4 and part 3-storey in height and attempts to provide a transition between the scale and mass of No.11-13 and the 2-storey semi-detached houses adjoining the site at Nos 25 and 27 Coronation Road.
10. However, the proposed building would be 4-storeys over more than half of the front elevation, only then stepping down to 3-storeys. It would be similar in height to the fourth floor of No.11-13, which has its fifth floor set back in a mansard roof. This would result in the continuation of the scale and massing of built form of No.11-13 well along Coronation Road. This would not be typical of the area where the transition begins much closer to Promenade South, concentrating bulk and massing only on the single corner plots. The apartment building at Grosvenor Court that is referred to in the appellant's evidence is an example of this. Whilst it may, in part, be a backdrop to the proposed building, it comprises a single block on the Promenade South corner.
11. The proposed building is shown to step down to 3-storeys high with the roof only slightly higher than the ridge of the roof of No 27 Coronation Road (No 27). However, No 27 has a hipped roof which reduces the scale and massing of the house. The proposed building would be sited only around 1m from the boundary with No.27 and, given this proximity, a true 3-storey building with a front elevation wider than the adjoining pair of semi-detached houses would appear discordant with the more domestic 2-storey scale of its neighbours.
12. As a result, the development would be an overly dominant, incongruous addition to the street scene that would cause harm to the character and

appearance of the area. It would therefore conflict with Policy CDMP3 of the Wyre Local Plan 2011-2031 (2019) (LP) because it fails to respect the character of the area with regard to siting, height, scale and massing. It would also conflict with the design policies in the Framework that seek development which add to the overall quality of an area and are sympathetic to local character.

Living conditions

13. The Council's *Supplementary Planning Guidance 4: Spacing Guidance for New Housing Layout* (SPG) sets out that front elevations should be a minimum 21metres apart in order to protect residential amenity. The minimum separation distance between the front elevation of the existing terrace of dwellings opposite at Nos 26 to 36 Coronation Road and the proposed building would be just over 19.5m. The '*Site Plan showing Separation Distance*' drawing in the appellant's evidence suggests a separation distance in excess of 21m at second floor. This is, however, the third-floor figure, which is shown to be set back from the front elevation and therefore the separation distance would be slightly greater. The minimum first and second floor distance would be just over 19.5m as shown for the ground floor. There is therefore a shortfall of around 1.5m from the SPG guidance.
14. The '*Proposed Floor Plans*' drawing shows the internal arrangement of the care home. There is a communal lounge, reception, office and two bedrooms at ground floor to the front, with bedrooms on upper levels. The dwellings opposite have large bay windows at ground and first floor and the care home bedrooms could be used by residents for large parts of the day, as their only private living space. As a consequence, the shortfall in separation would result in undue overlooking of Nos. 26 to 36, causing harm to the living conditions of occupiers by reason of loss of privacy.
15. I note that the SPG makes allowance for some reductions in separation distance in cases of special design or awkwardly shaped sites, especially where overlooking is avoided. However, the appeal site is a regular shape and whilst exact window locations are for future consideration being part of the appearance of the building, due to the proposed siting, the building could not avoid overlooking. Although I note that development fronting Promenade South is high density, I have no compelling reason in the evidence why the minimum separation distances should be reduced in this case.
16. For these reasons, I find conflict with the SPG and LP Policy CDMP3 because the development would have an unacceptably adverse effect on the living conditions of the occupants of nearby properties because of an undue loss of privacy. I also find conflict with paragraph 127 of the Framework that seeks to ensure a high standard of amenity for existing and future users.

Other matters

17. I have had regard to the need identified for accommodation for the increasing elderly population and the sustainable location of the site, which would allow residents access to local shopping, leisure and entertainment facilities. These are benefits of the development. However, they do not outweigh the harm I identify above to the character and appearance of the area and to living conditions, nor the resulting conflict with the development plan.

Conclusion

18. For the reasons above, I conclude the appeal should be dismissed.

R. Jones

INSPECTOR