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## Appeal Decision

Site visit made on 28 October 2019

**by R E Walker BA Hons DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 November 2019**

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**Appeal Ref: APP/U2370/D/19/3235407**

**20a North Promenade, Thornton-Cleveleys FY5 1DB**

- 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 Richard Powell against the decision of Wyre Borough Council.
  - The application Ref 19/00477/FUL, dated 9 May 2019, was refused by notice dated 12 July 2019.
  - The development proposed is the resubmission of application No. 18/00713/FUL. Proposed two-storey side extension.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

### Main Issue

3. The main issue is the effect on the living conditions of the occupants of 107 Beach Road and 19 and 20 North Promenade with particular reference to outlook.

### Reasons

#### *Living Conditions*

4. The appeal building is a modern house positioned in a prominent location on the corner of North Promenade and Beach Road. It is attached to a row of 3-storey terrace properties that front onto North Promenade. Neighbouring properties along Beach Road are 2-storey semi-detached houses.
5. No 107 Beach Road has a small rear garden, which sits on a slightly lower ground level to the appeal building. At present, the appeal building's single storey garage is positioned in close proximity to the boundary of the properties. This then steps up to the roof terrace before stepping again to the 4-storey element of the appeal building. This arrangement means, at present, although clearly visible the appeal building does not dominate from the rear

garden of No 107. The proposal would result in a 3-storey flat roof-built form rising above the ridgeline of No 107. From the garden of this neighbouring property the proposed extension would dominate and appear oppressive due to its height and close proximity. This physical relationship would, in my view, result in significant harm to the use and enjoyment of the garden of No 107 Beach Road.

6. The row of terraces along North Promenade have long rear gardens, however Nos 19 and 20 have smaller gardens. The proposal would result in the appeal property extending almost the entirety of the length of the boundary with No 20 at 3 storeys. There is little fenestration along the proposed south elevation of the extension, resulting in a large mass of walling bordering the garden of No 20. At the height proposed, this would result in an overbearing built form from the rear windows and garden of No 20, and to a lesser extent No 19 North Promenade, due to its increased distance from the appeal site.
7. I understand the occupant of No 20 North Promenade is related to the appellant and supported the planning application. However, future occupants of the appeal site and No 20 would not necessarily have that same family connection and these personal circumstances do not therefore outweigh the harm I have identified.
8. I therefore conclude, based on my findings on outlook, that the proposed extension would harm the living conditions of the occupiers of 107 Beach Road and 19 and 20 North Promenade. It would therefore fail to comply with the requirements of Policy CDMP1 and CDMP3 of the Wyre Council Wyre Local Plan (2011- 2031) adopted 2019 and the Extending Your Home Supplementary Planning Document 2007, which amongst other things, seek to protect residential amenity. The proposal would also conflict with the requirements of paragraph 127 of the National Planning Policy Framework (the Framework) which seeks, amongst other things, to ensure good standards of living conditions for existing occupants.

### **Other Matters**

9. I recognise that the appellant is seeking to make an effective use of an existing dwelling, an objective which is encouraged by the Framework. I understand that the property is used by the appellant for residential purposes and is also rented as holiday accommodation. I recognise that its attractive, modern design and position with sea views would attract guests to stay at the property, resulting in benefits to the local economy. The proposed extension would create additional bedrooms enabling larger groups to stay, incrementally increasing the benefits to the local economy. However, these increased benefits to the economy would be small overall, due to the number of additional rooms being created, and I attach limited weight to the benefits in that regard.
10. I have no substantive evidence that the proposed development would result in any significant noise or disturbance. Moreover, the proposed parking arrangements would be acceptable for the size of the property. The design of the proposed extension would appear compatible with the existing property, and when viewed from North Promenade and Beach Road, it would continue to be a positive feature within the street scene. However, whilst I recognise it would add some balance to the design, I do not consider that this would make a greater contribution to the street scene over and above the contribution that

the existing design of the property makes. As such, I consider these aspects to be neutral matters weighing neither for nor against the proposed development.

### **Conclusion**

11. The proposal would not result in significantly increased noise or disturbance, would have sufficient parking, would be compatible with the design of the existing property and the street scene and would contribute to the local economy bringing additional tourists into the area. However, the lack of harm in those respects and the limited benefit I afford to the contribution to the local economy, does not outweigh the significant harm I have identified to the living conditions of the occupiers of 107 Beach Road and 19 and 20 North Promenade with particular reference to outlook. For this reason, and having had regard to all matters raised, the appeal is dismissed.

*Robert Walker*

INSPECTOR