



Appeal Decision

Site visit made on 22 July 2019

by M Chalk BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/D1590/W/19/3227132

Pleasant Court Guest House, 66 Pleasant Road, Southend-On-Sea SS21 2HJ

- 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 M Saunders against the decision of Southend-on-Sea Borough Council.
 - The application Ref 19/00190/FUL, dated 30 January 2019, was refused by notice dated 27 March 2019.
 - The development proposed is described as change of use from guesthouse (Class C1) to HMO (Class C4).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is whether the guesthouse is no longer viable or feasible for visitor accommodation.

Reasons

3. The appeal site is a mid-terrace guesthouse on a predominantly residential street, the southern end of which opens onto the seafront. Southend-on-Sea is a coastal town with an economy in part sustained by tourism. The Southend-on-Sea Local Economic Assessment 2013 notes that 5% of visitors to Southend stay overnight, supporting 28% of Southend's tourism jobs.
4. The appeal site is located within the Southend Central Area, recognised in policy DM12 of the Development Management Document (July 2015) (the DMD) as one of the Key Areas within the borough where new visitor accommodation will be focused.
5. Within the Key Areas policy DM12 further states that visitor accommodation will be retained unless, among other considerations, the site is no longer viable or feasible for visitor accommodation.
6. The tests for establishing viability of visitor accommodation are set out in paragraph 5.37 of the DMD, and require proof of marketing for sale, evidence of business performance and evidence of professional management.

7. No evidence has been provided to show that the business has been appropriately marketed for sale at a competitive price taking account of trading performance and condition without success.
8. The appellant has provided evidence of the guesthouse's accounts for a period of three years showing a decline from profits of £1,326 and £1,724 in the years ending October 2015 and October 2016 to a loss of £12,249 in the year ending October 2017. This provides some evidence of business performance, and a fall in sales of more than £9,000 in the final year from the previous year suggests a drop in visitor numbers.
9. With regard to evidence of professional management, the appellant has provided evidence that the pricing of their rooms falls within a broad range of prices for superior quality accommodation available locally. The appellant has shown in their accounts that marketing of the guesthouse towards potential visitors has taken place with an increased spend each year in the accounts provided and suggests that a programme of renovation costing approximately £20,000 would be required to refurbish the existing building to modern standards. However, no details of the marketing of the property as visitor accommodation have been provided, nor any evidence to justify the projected costs of renovation or why rooms at the property were being offered at a price above the superior quality accommodation identified.
10. The appellant states that the proposed use of the property as a house in multiple occupation would result in less disturbance at maximum occupancy than the existing guesthouse use. I do not consider that this would outweigh the harm arising from the loss of visitor accommodation.
11. In the absence of the required evidence, it is not possible to determine with a reasonable degree of certainty that the site is no longer viable or feasible for visitor accommodation. It would therefore result in the unjustified loss of visitor accommodation with the harmful impact this would have on the resort character and local tourism economy. The proposal is thereby contrary to policy DM12 of the DMD, as well as policies KP1, KP2 and CP1 of the Southend-on-Sea Core Strategy (adopted December 2007).

Conclusion

12. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given the appeal should not succeed.

M Chalk

Inspector