



Appeal Decision

Site visit made on 22 December 2020

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2020

Appeal Ref: APP/J2373/W/20/3259753

98-100 Bond Street, Blackpool FY4 1EX

- 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 Daneets Developments Ltd against the decision of Blackpool Borough Council.
 - The application Ref 20/0278, dated 20 May 2020, was refused by notice dated 14 August 2020.
 - The development proposed is the conversion of part 2nd Floor into 3no. apartments, and re-configuration of existing apartment.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There are discrepancies between the address used on the planning application form, the appellant's appeal form and the Council's decision notice. In the absence of conclusive evidence, I recognise that the Council's use of 92-100 Bond Street, in its capacity as the body responsible for street naming and numbering, is likely to be the most accurate description of the site address.
3. The site benefits from an extant planning permission (ref.19/0338) to allow the conversion of the first floor and part of the second floor to residential flats. At the time of my site inspection some works had taken place. However, there was some discrepancy between the works and those shown on the submitted plans at second floor level. Furthermore, there is a difference between the number of rooflights shown on the proposed site plan and the consistent detail of the elevation and floor plans. For the avoidance of doubt, I have considered the proposals as shown on the plans that were considered by the Council. In respect of the rooflights, I have considered the more detailed elevation and floor plans showing 5 rooflights. This is the number referred to by the Council.

Main Issues

4. The main issues are the effect of the development on:
 - The living conditions of prospective occupiers with particular regard to light, outlook and provision of private outdoor amenity space
 - Balanced, healthy and stable communities
 - The character and appearance of a locally listed building and its locality.

Reasons

Living conditions

5. The proposal would provide 3 additional flat units within the building's roof spaces and alter a fourth unit which benefits from the extant planning permission. This would be facilitated by the proposed alteration of the existing roof through the insertion of rooflights and dormer roof extensions. In addition, some windows would be formed in the external walls which address the rear parking and bin store areas. According to the appellant, the proposals would provide accommodation units that meet the minimum standards of the Government's Technical Housing Standards (2015) (THS).
6. Whilst I am not directed to any specific requirement for housing standards within the Council's development plan, the Council confirms that those set out in its New Homes from Old Places Residential Conversion and Subdivision Supplementary Planning Document (2011) have been superseded by the THS. However, the THS are not incorporated within the Blackpool Local Plan Part 1: Core Strategy 2012–2027 (CS) or the Blackpool Local Plan 2001-2016 (BLP). The Planning Practice Guidance (PPG) states that 'Where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the nationally described space standard.' Whilst those standards cannot, therefore, be afforded significant weight in this case, they provide a guideline to the standards of accommodation that would normally be expected for reasonable day-to-day living needs.
7. The floor areas and minimum bedroom sizes appear comparable or greater than the minimum floorspaces stated in the THS. Some floor area has restricted height as those parts of the accommodation closest to the Bond Street and Station Road frontages, and the hipped roof end of Apartment 9, would not benefit from full height ceilings. Nevertheless, those spaces would be generally usable. Furthermore, they would benefit from reasonable amounts of natural light through the high position of the rooflights combined with window and dormer proposals.
8. However, whilst units 7, 9 and 10 would benefit from outward views to the rear of the premises, unit 8 would be restricted to those available from the dormer windows. In apartments 7, 8 and 9, the dormer glazing would be set close to the lower part of the roof. This lies behind a leaded valley gutter and upstand formed by a stone blocking course. Due to the deeper depth of the building's frieze and cornice bands than shown on the plans, the sill height would necessarily sit at a height above most peoples' eye level. Consequently, outward views would be substantially limited to sky views above the parapet only. In the absence of any other outlook, this would not achieve a high standard of living conditions for prospective occupiers of unit 8.
9. There is no proposal for private amenity space to serve the occupiers of the flats. Saved Policy BH3 of the BLP provides for flat developments without private amenity spaces in exceptional circumstances. Whilst the majority of those circumstances would be met, in the context of the development plan and site circumstances, I find any wider regeneration benefits of the scheme have not been demonstrated. Furthermore, as proven by recent and ongoing lockdown periods of the Covid-19 pandemic, the availability and importance of usable and accessible outdoor space is a matter of significant weight. The lack

of provision within the site or exceptional circumstances to justify its absence, would also fail to deliver a high standard of living conditions for prospective occupiers.

10. Whilst I have found in favour of the development in terms of natural lighting within the apartments, this would not outweigh the harm with respect to poor outlook and absence of private amenity space for the flats. I find that the proposals would conflict with saved Policies HN5 and BH3 of the BLP and Policies CS7 and CS13 of the CS as they seek to secure a high quality of new accommodation that delivers good living standards and commensurate provision of private outdoor amenity spaces.

Communities

11. The site lies within the South Beach Inner Area as defined under Policy CS12 of the CS. The Policy seeks to achieve a sustainable mix of quality homes with a focus on the delivery of family housing to rebalance the local housing mix. The proposed development would provide 3 additional flats in an area identified as having a significant and highly disproportionate number of flatted units within the housing stock. Although it would provide two-bedroom units designed to meet modern living and could be utilised by small families, the second-floor location and absence of private outdoor amenity space would likely make them less attractive to those households.
12. Moreover, saved Policy HN5, as it relates to the Inner Areas, seeks to prevent the further intensification of existing over-concentrations of flatted development. In that regard, it specifically restricts conversions extending in to roof spaces. Although I acknowledge that a previous approval for the site permitted subdivision of the building to provide 7 flats, this was predicated on the basis of securing a long-term viable use of the building to conserve its heritage status. There is little evidence before me to suggest that benefit would be prejudiced by the success, or otherwise, of the current proposal and therefore is a neutral matter in this instance.
13. In support of the proposal, the appellant has referenced a number of schemes that have included dormer additions to facilitate accommodation in the roof space. Of those schemes, limited detail of the circumstances of those decisions are provided. Moreover, the existence of development elsewhere does not represent an appropriate reason to find in favour of a proposal that would cause harm or lead me to alter my findings on this issue.
14. The appellant highlights the thrust of national policy for the delivery of housing and I acknowledge that the proposal would add to the Council's housing stock in a manner that could be achieved relatively quickly. Furthermore, occupation could use otherwise redundant space and contribute to the local economy throughout the year. However, in the face of a 5-year supply of housing land, the provision of additional units in direct conflict with the development plan is a matter of negligible weight. Furthermore, any economic benefits would be insignificant in the context of the borough's wider economy.
15. For the above reasons, I find a proposal for additional flats in an area identified as having a skewed mix of housing provided by flatted developments would conflict with the aims of Policy CS12 of the CS and saved Policy HN5 of the BLP as they seek to promote social cohesion through balanced and healthy communities.

Character and appearance

16. The site accommodates an early C20 sandstone corner building comprising of commercial premises at ground floor and is undergoing conversion to residential flats at first floor and part of the second floor. The upper façade of the building retains many of its original Jacobean styled features including ornate carved stonework about its pilaster framed square bays and arched segmental headed windows. A detailed frieze and cornice sit below semi-circular pediments marking projecting bays. The slate roof edge is set behind a stone blocking course and has been previously altered by the addition of a flat roofed dormer window on the Station Road frontage.
17. At ground floor, only remnants of the pilasters marking individual commercial units remain. The street level frontages have been significantly altered in an unsympathetic manner below a discordant deep fascia. Parking exists on a forecourt to the Station Road frontage and some additional provision exists within a small courtyard to the rear, which is of little visual merit.
18. The wider area is characterised by Victorian terraces and semi-pairs of between 2-4 floors. The locality is predominantly a mix of residential units and commercial premises with accommodation above. This is intertwined with numerous hotels, bed and breakfast units and other temporary forms of accommodation.
19. The Council identify that the building is locally listed as a consequence of its design quality and detailing. Paragraph 197 of the National Planning Policy Framework requires that the effect of the proposed development on the significance of the building should be considered. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss, and the significance of the heritage asset.
20. The proposal would see the introduction of 8 flat-roofed dormer windows and 5 rooflights to the existing roofscape. The proposed dormers would be of a height similar to the existing roof extension which is shown for removal. This is clearly visible in views on both Station Road and on approach along Bond Street from the south. Although wider than the proposed dormers and built in materials to assimilate with the main roof, the existing dormer contrasts sharply with the original character of the building.
21. The introduction of consecutive dormers would give rise to a similar contradictory appearance. This would be emphasised by the proposed number of roof extensions between the detailed pediments. The rooflights would introduce an additional new feature to the roofscape which, taken with the dormers, would create a visual clutter that is not characteristic of the original roof.
22. Although this would be in the context of a significantly changed ground floor façade, they would, nevertheless, fail to reflect the qualities and character of the building which are worthy of retention. The new openings to the rear would have a negligible effect on the appearance of the building away from the main frontages. Accordingly, and in the absence of other benefits arising from the proposals, I find that the development would result in harm to a non-designated heritage asset and that harm attracts moderate weight.

23. Notwithstanding the variation of the scale and design of other development in the locality, the introduction of a significant number of new dissonant elements to the roofscape in a prominent location would whittle away at the building's overall quality. This would frustrate the Council's aims of strengthening the townscape character through the protection and/or enhancement of heritage assets.
24. For the above reasons, I find that the proposal would conflict with Policies CS7 & CS8 of the CS and saved Policies LQ1, LQ14 & BH3 of the BLP as they seek to secure high standards of design which are sympathetic to the original building and conserve the significance of non-designated heritage assets for their own sake and that of the local townscape.

Conclusion

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

R Hitchcock

INSPECTOR