
Appeal Decision

Site visit made on 19 January 2021

by Mark Dakeyne BA (Hons) MRTPI

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

Decision date: 5th February 2021

Appeal Ref: APP/J2373/W/20/3263576
47-51 Shaftesbury Avenue, Blackpool FY2 9TW

- 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 Ms Madeleine Prenger against the decision of Blackpool Borough Council.
 - The application Ref 19/0803, dated 3 December 2019, was refused by notice dated 24 June 2020.
 - The development proposed is change of use of 51 Shaftesbury Avenue to annexe to Golden Years Rest Home, incorporating two storey link.
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Decision

1. The appeal is dismissed.

Procedural matter

2. I have used the site address from the decision notice in the header as this reflects the full extent of the appeal site.

Main issues

3. The main issues are:
 - (1) the effect on the street scene; and,
 - (2) the effect on the living conditions of the occupiers of No 53 Shaftesbury Avenue, with particular reference to noise and disturbance.

Reasons

Street scene

4. The stretch of Shaftesbury Avenue containing the appeal property is characterised by well-established semi-detached and detached houses facing the southern edge of the Blackpool North Shore golf course. There are gaps between the properties which, although not large, provide space around each building and contribute to the rhythm of a pleasant street scene. Although the appearance of the properties varies, overall they have the solidity and features characteristic of their mid-20th century origins.
5. The proposed two-storey link between the appeal property and the neighbouring semi would remove the physical gap between the buildings and erode an important characteristic of the street scene. Although the

extension would be set back, the eaves and ridge heights would be similar to the buildings either side, so the extension would not be sufficiently subservient to the original built form. The addition, when combined with the nursing home and No 51, would result in a significant overall building mass in comparison with most other buildings in the street.

6. The design of the link, with the extensive area of glazing at ground floor level and lack of articulation to the front elevation, would be bland and would not respect the solidity and features of the existing dwellings. In addition, the blocking up of the recess and front door would imbalance the pair of semis.
7. In conclusion, the proposal would unacceptably impact on the street scene and conflict with Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016 (BLP) and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) (BCS). The conflict arises because the development would not be well designed and sited in relation to the original buildings and adjoining properties or make a positive contribution to the quality of the surrounding environment.

Living conditions

8. The use of No 51 Shaftesbury Avenue as a care home would increase activity compared to its occupation by a single household, due to the comings and goings of staff and visitors and their vehicles. Some of these movements would be during overnight periods when neighbouring occupiers would expect peace and quiet. As the property is attached to No 53, with neighbouring small front and back gardens, these increased activities would be very close and would have a significantly detrimental impact on the living conditions of the immediate neighbours.
9. I note the findings of the assessment that sufficient sound insulation is likely to exist to prevent significant noise transmission. However, these findings deal with internally generated noise only. Moreover, it is likely that some increase in noise would be perceptible to residents of No 53 through the party wall when comparing the noise characteristics of a single dwelling with that of a care home.
10. For the above reasons, the effect on the living conditions of the occupiers of No 53 Shaftesbury Avenue, with particular reference to noise and disturbance, would be unacceptable. There would be conflict with Policies BH3 and BH24 of the BLP and Policy CS7 of the BCS as the intensity of the use and activity associated with it would adversely affect the residents of the adjacent property.

Other matters

11. I have had regard to that part of Policy BH24 which deals with concentrations of C2 uses in residential areas. The policy refers to '*no more than about 10% of properties in any one block will be permitted in such use*'. But what constitutes a block is not defined, albeit I note that the development control committee of the Council sought to do so. However, this resolution, which was made some 13 years ago, does not form part of the development plan. Moreover, I have not been made aware of, nor did I

see, any other residential institutions in the immediate surroundings or Shaftesbury Avenue as a whole. As the development would not increase the number of C2 uses in the immediate area, no undue concentration would arise.

12. Policy BH4 of the BLP is not relevant to the proposal as the policy together with its explanation indicate that it is aimed at developments which have the potential to give rise to significant pollution.
13. I have taken into account the need for additional bedspaces in the area, the good standard of care referred to and the additional employment that would be generated. I also note the letters of support.
14. However, these neutral and positive considerations do not outweigh the harm that I have identified in relation to the main issues and the conflict with development plan policies that arises.

Conclusions

15. For the above reasons the appeal should be dismissed.

Mark Dakeyne

INSPECTOR