



Appeal Decision

Site Visit made on 6 July 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 16th August 2021

Appeal Ref: APP/J2373/W/21/3266724

29 Waterloo Road, Blackpool FY4 1AD

- 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 Multifront Properties Ltd against the decision of Blackpool Borough Council.
 - The application Ref 20/0577, dated 15 September 2020, was refused by notice dated 9 November 2020.
 - The development proposed is Proposed Change of Use of Upper Floors from Offices/Storage to C3 two self contained flats.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has confirmed that the appeal should proceed in the name of Multifront Properties Ltd.
3. The National Planning Policy Framework (the Framework) was revised and an updated version was published in July 2021 before the appeal was determined. The main parties have been provided with the opportunity to comment on the implications of the revisions for the appeal proposal.

Main Issues

4. The main issues are:
 - i) Whether the proposal would provide an adequate standard of living conditions for future occupiers; and
 - ii) The effect of the proposal on the local housing supply.

Reasons

Living conditions

5. The appeal relates to the first and second floors of a 3 storey flat roof building and associated enclosed yard area. It is to the rear of Victoria Market, which is in commercial use including the ground floor of the appeal building. The appeal building is accessed from the yard via Gordon Street which is a short residential street leading off Waterloo Road. The rear yard additionally provides access to a meter room, the rear entrance to Victoria Market, external store rooms and external stairs leading to the first and second floors of the appeal building.
6. The proposal would be 2 self-contained residential units. The plans illustrate that first floor unit would be a 3 bed property and the second floor unit would

- have 2 double bedrooms. Each unit would have an open plan living and kitchen/ dining area and 2 bathrooms, one of which would be en suite. The external stairs would be refurbished to provide access to the flats and there would be a shared entrance and internal stairs at the far end of the building.
7. Both flats would have a similar layout. The door to each unit would open onto a long windowless corridor subdivided by internal doorways. The bedrooms would be to one side of the corridor and the living and kitchen/ dining area and shared bathroom would be at the far end. The hallway would be dark and enclosed and future occupiers in their bedrooms would be aware of the comings and goings of people entering and leaving bedrooms and the flat. The open plan living area would not provide any separation of functional areas for either 4 or 5 persons. Future occupiers would need to pass through the living area to access the shared bathroom, which would be a less than ideal arrangement.
 8. Consequently, while there would be adequate internal floorspace, in accordance with the Technical housing standards – nationally described space standard Adopted March 2015, the internal layout and circulation space would not provide a high standard of living accommodation for future occupiers. I acknowledge that the Council's New Home from Old Places Supplementary Planning Document Adopted March 2011 (the SPD) pre-dates the publication of the national standards, such that some local standards have been superseded. However, the national standards set out the minimum requirements for dwellings and they do not preclude the adoption of local standards based on local housing conditions for matters not specifically covered.
 9. The building has windows to one elevation only, overlooking the shared yard. The first floor unit's windows would look out onto the blank wall and roof of the tall building on the opposite side of the yard, approximately 4.5m from the windows. The window of bedroom 1 would also look out onto the projecting blank side wall of the entrance lobby. The plans illustrate that the external stairs would be outside another of the habitable room windows. Consequently, there would be a poor outlook from the first floor habitable room windows. By virtue of their higher elevation, the second floor windows would look out over the neighbouring roofscape and they would not be overshadowed by nearby buildings. While the outlook would be uninspiring, the elevated views across the townscape would not be a significantly poor outlook from the second floor.
 10. The only access to the flats would be from the yard area via a locked gate at the end of Gordon Street, which is a narrow back street. The entrance to the flats would then be at some considerable distance from the street. The access arrangements, through the enclosed yard which is accessible by third parties, would not be well-designed, clear and legible and it would not allow for the type of natural surveillance necessary for the creation of safe and accessible places that contribute to quality of life.
 11. The 2 flats would not have balconies, with future occupiers instead sharing the external yard area. In addition to providing access to the entrance lobby, there would also be bin and cycle storage facilities and the external stairs. The plans illustrate the third party doorways into the rear of the ground floor commercial unit and the meter room. At the time of my visit, I also observed the yard was in use for commercial waste storage. On this basis, and taking account of its narrow width, enclosure and orientation, the shared yard would not provide

adequate private outdoor space and it would not meet the basic needs of future occupiers including areas for sitting out, drying of laundry or children's play.

12. I accept that there will be residential dwellings, including flats and terraced properties, elsewhere with limited private outdoor space. However, this does not justify a proposal that would fail to provide the modern standards of living conditions that future occupiers might reasonably expect. I am also mindful that the coronavirus pandemic has emphasized the importance of private outdoor space for health and well-being. Moreover, while future occupiers would have access to the seafront and public open spaces for recreation, these would not compensate for the absence of adequate private outdoor space.
13. Therefore, the proposal would fail to provide an adequate standard of living accommodation for future occupiers, with particular regard to internal and external living space, outlook and access. It would conflict with saved Policies HN5 and BH3 of the Blackpool Local Plan 2001-2016 Adopted June 2006 (the LP) and Policies CS7 and CS13 of Blackpool Local Plan Part 1: Core Strategy 2012-2027 Adopted (the CS). These require, among other things, that development avoids adverse effects on the amenity of occupiers, including in relation to internal and external space, outlook, and well designed and safe spaces. It would conflict with the aims of the SPD. It would conflict with the Framework in relation to high standards of amenity for future users.

The balance and mix of the local housing stock

14. The appeal site lies within the Inner Area and it is in a district centre. The building is in storage use, albeit under-utilised. It is to the rear of Victoria Market and it does not have a street frontage. The proposal would not result in the loss of an active commercial frontage and it would not undermine the function of the Waterloo Road district centre. Consequently, the loss of the commercial use would be acceptable in principle.
15. The evidence before me suggests that the area ranks highly in terms of social deprivation. Flatted development contributes roughly 80% of the local housing stock, and 1 and 2 bed units account for 57% and 26% respectively of the flatted development housing stock. The high proportion of flats, and smaller flats in particular, results in a significant imbalance in the local housing stock.
16. In order to redress this imbalance, and thereby contribute to balanced and mixed local communities, the Council requires new residential development to provide an appropriate mix of quality homes. Proposals for flats that would further imbalance the housing stock in the Inner Areas are generally not supported. In this case, the proposal would not increase the proportion of small 1 bed flats in the area. Nevertheless, the increase in the number of flats would contribute to further imbalance in the local housing supply. Irrespective that they would meet gross internal floor space requirements, for the reasons set out above they would not provide a high standard of living accommodation for families.
17. Therefore, the proposal would exacerbate the imbalance in the local supply of housing, and it would fail to contribute to a balanced and mixed local community. It would conflict with the local housing and regeneration aims of CS Policies CS12 and CS13 and saved LP policies HN5 and BH3. It would also conflict with the social objectives of the Framework that require development to support vibrant and healthy communities.

Other Matters

18. The Framework supports the development of under-utilised land and buildings especially if this would help meet identified needs for housing. In this case, the proposal would re-use an under-used commercial building. However, the Council can demonstrate a 5 year deliverable supply of housing land. Moreover, the Framework is clear that proposals for the efficient use of land should take account of matters including the importance of securing well-designed, attractive and healthy places. Therefore, and irrespective of the Government's aim of significantly boosting the supply of housing, neither the re-use of the building nor the negligible contribution to the supply of housing outweighs the conflict with the development plan.

Conclusion

19. For the reasons set out above, the proposal would conflict with the development plan and there are no other considerations that would outweigh that conflict.
20. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR