



Appeal Decision

Site visit made on 27 June 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2022

Appeal Ref: APP/J2373/W/22/3292971
32 Lytham Road, Blackpool FY1 6DY

- 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 Paul Williams, Essex Oak Frame, against the decision of Blackpool Borough Council.
 - The application Ref 21/0566, dated 17 June 2021, was refused by notice dated 19 August 2021.
 - The development proposed was originally described as change of use from C1 Hotels to apartments, with retention of existing front bay.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and surrounding area.

Reasons

3. The appeal site comprises a three-storey mid-terrace building which was a guest house. The principal elevation includes a sun lounge extension which I understand has been in place for a long time. Although the sun lounge has a shallow depth and is single storey, it detracts from the principal elevation and represents a poor quality feature which makes little reference to the architectural style of the host building.
4. The terrace includes traditional stone bays and also sun lounges. The sun lounges tend to relate to commercial and hotel uses rather than residential uses. The examples provided by the Council of replacement frontages demonstrates that the removal of sun lounges positively impacts the area and reinforces residential character.
5. The proposed development follows an approved planning application which included the removal of the sun lounge and the erection of a ground floor bay window. It has been highlighted that the shortfall in floorspace was outweighed by the benefits of the external alterations and conversion in that decision. The scheme before me does not involve any external changes to the ground floor front elevation. The appellant asserts that if the appeal is dismissed it is likely that the approved development would not be implemented, and the sun lounge would continue to exist.

6. The Council's New Homes from Old Places Supplementary Planning Document (2011) (SPD) states that street-facing sun lounges must be removed, and the replacement façade must be of a high design quality in keeping with the original building and residential use. As the sun lounge would not be removed, the scheme would conflict with the SPD. Whilst the SPD is guidance, as opposed to a policy requirement, it provides useful guidance to encourage high design and to help secure positive change to revitalise the area.
7. Some of the policies included in the reason for refusal refer to new development and the sun lounge is an existing extension. However, the planning application represents a form of development. The overall aims of the policies highlight that there is a clear need to promote higher standards of design across Blackpool and seek to ensure proposals enhance the character and appearance of the local area.
8. Policy HN5 of the Blackpool Local Plan 2001/2016 (2006) (LP) states proposals will be permitted providing applications for the conversion of properties from other uses to residential use include appropriate proposals to establish residential character. Furthermore, the supporting text of Policy LQ14 of the LP states that the Council will require the removal of sunlounges, and the restoration of a frontage with a residential appearance, where permission is granted for the conversion of a property from holiday accommodation to permanent residential use. The Council emphasises that planning policies have evolved in response to the decline in holiday uses and require an effective design approach to ensure land use changes are accompanied by physical alterations to establish appropriate residential character.
9. The retention of the unsympathetic sun lounge to the principal elevation of the host building, which is located along an identified key resort gateway, would fail to establish and extend the residential character of the building and along the terrace. The scheme does not include appropriate proposals to establish residential character and would fail to contribute towards raising the standard of the wider built environment and streetscape.
10. The appellant has provided a cost analysis and they assert that the inclusion of a bay detail would harm the viability of the development. They have also drawn my attention to a range of other matters including the National Design Guide, the internal floorspace and paragraphs of the National Planning Policy Framework (the Framework). I also acknowledge that the development would contribute towards the borough's housing requirement.
11. The detailed costs set out by the appellant appears to relate to a two-storey bay rather than the development approved. Furthermore, it does not comprise a complete viability assessment as it does not detail information such as likely returns. On the basis of the information before me, the other considerations highlighted by the appellant do not outweigh the conflict identified above. The appellant has not robustly justified the retention of the sun lounge to outweigh the conflict with local planning policy and the SPD.
12. I have considered the Council's argument that the retention of the sun lounge would set a precedent for similar developments in the surrounding area. Whilst each application and appeal must be treated on its individual merits, I can appreciate the Council's concern that approval of this proposal could be used in support of similar schemes. I consider that this is not a generalised fear of

precedent, but a realistic and specific concern particularly where little firm evidence has been presented to justify the conflict with the local planning policies and the SPD. Allowing this appeal would make it more difficult to resist further planning applications for similar developments, and I consider that the cumulative effect would exacerbate the conflict which I have described above.

13. For these reasons, the proposed development would conflict with Policies CS7 and CS22 of the Blackpool Local Plan- Part 1: Core Strategy (2012 – 2027) (2016) and Policies LQ1, LQ14 and HN5 of the LP. These policies seek, amongst other matters, to ensure residential conversions do not conflict with the wider efforts for the comprehensive improvement of the neighbourhood and seek to ensure new development is well designed, and enhances the character and appearance of the local area. In addition, it would conflict with the Framework which states decisions should ensure that developments will function well and add to the overall quality of the area and establish a sense of place.

Conclusion

14. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed.

L M Wilson

INSPECTOR