



Appeal Decision

Site visit made on 14 December 2022

by S Brook BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2023

Appeal Ref: APP/J2373/W/22/3305502

3 King George Avenue, Blackpool FY2 9SN

- 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 Simon Morris against the decision of Blackpool Council.
 - The application Ref 22/0295, dated 11 April 2022, was refused by notice dated 20 May 2022.
 - The development proposed is described as 'Change of use of 3 King George Avenue, Blackpool from single dwelling (use class C3) to serviced accommodation (Sui Generis)'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The external works to the roof have been completed. Nevertheless, I am determining the appeal based on the plans before me.
3. Reference is made to the draft Blackpool Local Plan Part 2: Site Allocations and Development Management Policies, which I understand has reached an advanced stage but is not yet formally adopted. However, as none of the reasons for refusal seek to rely on any emerging policies, I have not considered this matter further.

Main Issues

4. The main issues are (a) whether this is a suitable location for new visitor accommodation, (b) the effect of the proposed development upon the living conditions of the occupiers of neighbouring properties, with specific regard to noise and disturbance, and (c) the effect of the proposed development upon the character and appearance of the area, which includes the North Promenade Conservation Area.

Reasons

Suitability of location for new visitor accommodation

5. Properties along King George Avenue are predominantly within residential use, albeit there are a number of small hotels, guest houses and other forms of visitor accommodation also. To the west, is Queens Promenade and the seafront, with further visitor accommodation present.
6. A number of policies within the Blackpool Local Plan Part 1: Core Strategy (2012-2027) Adopted January 2016 (LP), including policies CS21 and CS23, and the Holiday Accommodation Supplementary Planning Document, Adopted

November 2017, (SPD), recognise that whilst holiday accommodation continues to be an important part of Blackpool's tourism offer, Blackpool has too many holiday accommodation bed spaces, with many businesses operating at marginal levels leading to a number going out of business or changing to inappropriate uses that are causing problems. In order to safeguard the strongest clusters of holiday accommodation in sustainable locations, 'Holiday Accommodation Areas' (HAA's) are defined. LP Policy CS21 sets out that proposals for new visitor accommodation will be focused on the town centre, resort core and these defined HAA's, unless exceptional circumstances justify a peripheral location outside of these areas. LP Policy CS23 states that within the main HAA's, existing holiday accommodation will be safeguarded and their loss resisted, and new holiday accommodation will be supported, whilst outside of these areas, the retention of existing holiday accommodation will be supported where viable, along with the change of use of holiday accommodation to permanent residential use.

7. Albeit the site lies adjacent to a Key Promenade Hotel Frontage and close to a Main Holiday Accommodation Area (MH1 - The Cliffs) defined by the SPD as HAA's, the proposal does not lie within one of these areas and therefore new visitor accommodation at this location does not benefit from the support of LP Policy CS21, unless exceptional circumstances justify such a location.
8. I am advised that the appellant jointly owns and manages an established holiday accommodation premises on the corner of King George Avenue and Queens Promenade (The Berkeley Apartments), which are in close proximity to the appeal site. The appellant also owns and resides at No 5 King George Avenue, the adjoining semi-detached dwelling, which is used in part as an administrative base for their business. The appellant states that the proposal would be run as an extension of this existing business operation, providing accommodation for larger families or two families holidaying together, which is an offer that the existing premises cannot accommodate. The Berkeley Apartments has a 4 Star AA rating, indicating a good quality of holiday accommodation. The appeal site is well situated in relation to this existing business and the appellant's home, for day to day running and management purposes.
9. However, there are two defined HAA's within close proximity to both the appellant's home and the existing business at the Berkeley Apartments. I have not been provided with any evidence to suggest that existing properties within these defined HAA's, could not offer the appellant the same or similar opportunities for expansion of their existing business, which would benefit from the support of LP Policies CS21 and CS23 and would not risk be undermining the Council's management strategy for holiday accommodation in the area overall. As such, I do not consider that the proposal has provided exceptional circumstances to justify new holiday accommodation outside of the defined HAA's.
10. To conclude on this first main issue, the proposal would not be a suitable location for new visitor accommodation. The proposal would not comply with LP Policies CS21 and CS23, or advice contained within the SPD, the purposes of which has been outlined above.

Living conditions

11. Whilst surrounding uses appear to be predominantly residential along this part of King George Avenue, the neighbourhood continues to host a number of established hotels/guest houses. Examples of holiday accommodation alongside residential dwellings can be seen throughout the area. Whilst I appreciate that holiday accommodation has the potential to result in noise and disturbance to neighbouring residents, this can be managed and mitigated in a number of ways. A noise assessment and detailed attenuation scheme, could be secured by the imposition of a condition, as could a revised management plan that considers issues of anti-social behaviour. The appellant, having experience of managing an existing business in the locality, would be appreciative of these issues, albeit I appreciate that planning permission runs with the land and not with the applicant.
12. I am satisfied that subject to the imposition of suitable conditions, the proposed development would not be harmful to the living conditions of the occupiers of neighbouring properties. The proposal would therefore comply with LP Policy CS7 and saved Policy BH3 of the Blackpool Local Plan 2001/2016, Adopted June 2006 (saved LP), which collectively, and amongst other matters, seek to ensure that the amenities of nearby residents are not adversely affected by new development. Further, it would meet the requirements of the National Planning Policy Framework (NPPF) in terms of achieving a high standard of amenity for existing and future users.

Character and appearance

13. The appeal site consists of a semi-detached dwelling of red brick construction with slate roof. This, and other properties to the south side of King George Avenue have a consistency of architectural style, with a notable double height rounded bay window and overhanging gable roof feature. Other detailing includes an arched detail to the doorway and intricate detailing to the brickwork. Properties to the opposite side of the road are terraced, but shared similarities in materials, scale and some design features.
14. The appeal site lies within the North Promenade Conservation Area (the CA). Part of the significance of the CA derives from the appreciation it provides of how Blackpool developed into a major holiday resort and visitor destination and the quality of some buildings constructed during that time. The appeal property is attractive and makes a positive contribution to the significance of the CA. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
15. The proposal involves work to an existing flat roof front dormer window, replacement of two small flat roof dormer windows to the rear with one larger flat roof dormer window, and the replacement of a side dormer window with roof lights. The proposed front dormer window, whilst visible from public vantage points within the CA, would not be substantially larger than the dormer window shown on the existing plans, and would be smaller than other front dormer windows already present along King George Avenue. Indeed, large dormer windows are prevalent within the area, including within parts of the CA. The rear dormer would be much less visible in public views. These changes would be in keeping with the appearance of the property itself and the character and appearance of the wider area where dormer features are

numerous. The proposal would not therefore result in harm to the significance of this heritage asset as the character and appearance of the CA would be preserved.

16. To conclude, the proposed development would not result in harm to the character and appearance of the dwelling itself or the area, including the CA. The proposal would therefore comply with LP Policies CS7 and CS8, saved LP Policies LQ1, LQ10 and LQ14, and advice contained within the Councils Extending Your Home, Supplementary Planning Document, November 2007, which collectively, and amongst other matters, seek to ensure well designed development that conserves or enhances the character and appearance of the area and the significance of heritage assets. It would also comply with the NPPF in terms of achieving high quality design and conserving heritage assets in a manner appropriate to their significance.

Other Matters

17. The proposal would be in an accessible location for both public transport and the services and amenities, coastline and parks of this seaside town. On street parking is available, along with additional pay and display parking in the locality, with no objections raised by the Highway Authority.
18. The expansion of an existing business would bring economic benefits in terms of support for supply chains, increased spending in the area and potentially additional employment opportunities.
19. The physical works have attracted no objections from neighbours or the Civic Trust, they raise no concerns in relation to overlooking of neighbours, and I note the possible benefits of improved insulation for energy performance and sound transmission.
20. These other matters do not outweigh the harm that I have identified in relation to the first main issue.

Conclusion

21. The proposed development would not result in harm to the living conditions of occupiers of nearby residential properties or the character and appearance of the dwelling itself or the area, including the CA. This lack of harm is a neutral matter, which does not outweigh the conflict with the development plan that I have identified in relation to the suitability of the location for new visitor accommodation. For these reasons, the appeal scheme would conflict with the development plan, and there are no other material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

S Brook

INSPECTOR