



Appeal Decision

Site visit made on 28 March 2024

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 18 June 2024

Appeal Ref: APP/J2373/W/22/3313172

18 Springfield Road, Blackpool FY1 1QL

- 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 GTEC Property Holdings Ltd against the decision of Blackpool Borough Council.
 - The application Ref 21/0843, dated 17 September 2021, was refused by notice dated 15 Jun 2022.
 - The development proposed is the change of use of a bed and breakfast to form 3no. 2 bedroomed self contained flats.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use of a bed and breakfast to form 3no. 2 bedroomed self contained flats at 18 Springfield Road, Blackpool FY1 1QL in accordance with the terms of application Ref 21/0843, dated 17 September 2021 and subject to the conditions set out in Schedule 1 of this decision.

Application for Costs

2. An application for costs was made by GTEC Property Holdings Ltd against the Council. This application is the subject of a separate decision.

Preliminary Matters

3. The Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023. Apart from paragraph numbering those parts of the Framework most relevant to this appeal have not been amended. As a result, it has not been necessary to seek comments on the revised Framework. No party's interests have been prejudiced by this approach.
4. The main parties disagree as to whether the basement level at the site forms a separate planning unit. However, the application relates to the upper floors of the appeal property only. The issue as to whether it is a currently separate planning unit does not form part of my assessment on the planning merits of the proposal.

Main Issue

5. The main issue is whether the proposal would represent efficient and effective use of land.

Reasons

6. The appeal site comprises a three storey property with basement, most recently in lawful use as a bed and breakfast with owner accommodation. The property is accessed via an entrance door on Springfield Road, with a further door to the rear providing access to the basement level.
7. The proposal seeks to convert the top three floors of the appeal property into three two-bedroom flats. The main parties agree that the proposed change of use to permanent residential accommodation is acceptable in principle. While the Council highlights an existing over-concentration of smaller flats in the area, it accepts that the appeal property would lend itself best to subdivision into flats provided that, in light of deprivation statistics, they are of a sufficient quality and occupancy.
8. In this regard, the proposal complies with the New Homes from Old Places Supplementary Planning Document 2021 (the SPD) in exceeding the minimum threshold for subdivision based on the size of the property, and would provide three two-bedroom units, a clear priority in the area given the requirements of Policy CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (the CS). Furthermore, the Council has found that the three proposed flats would provide suitable living conditions for potential occupiers and, based on my observations, I have no reason to disagree. Accordingly, even noting the deprivation statistics and existing concentration of small units, the proposed flats would comply with local plan policies relating to housing quality and occupancy, making effective use of the upper floors of the appeal property and contributing to the housing stock of the area.
9. In the absence of detail as to the future use of the basement the Council has concerns that the proposal would result in redundant space at this level. However, I must assess the scheme as it appears before me, which does not include the basement level of the property. Although there may have been the opportunity to incorporate it as part of the proposal, there is nothing to compel the appellant to do so. In addition, there is nothing substantive to suggest that the proposal would necessarily preclude any possible future use of the basement, with the existing rear door providing potential, in theory, for access to this level independent from the main property. As such, the proposal would not conflict with wider efforts for the improvement of the neighbourhood by preventing any future use of the basement level.
10. The Council has concerns regarding the suitability of the basement level for use as a separate flat, but this again does not form part of the proposal. Further, even with the appellant's cited intentions, there is no certainty that the basement would be put to this specific use or that it would be unsuitable for other uses, even with the proposal in place. Any future application in respect of the basement would need to be assessed at that stage.
11. Reference has been made to Nos. 28 and 30 Springfield Road, where the Council approved similar schemes allowing for a change of use in the upper floors without incorporating the basement. Although each case must be considered on its own merits, consistency in decision making is important and these approvals are a material consideration due to the highly similar circumstances to the appeal proposal. While the Council has since suggested these applications were not fully considered and that a change in deprivation

statistics warrants the refusal of the proposal it remains that, on the evidence before me, I have found the proposal would be acceptable on its own merits.

12. For the reasons given, the proposal would represent efficient and effective use of land. As such, it would comply with Policies CS7 and CS13 of the CS, Policies LQ1, HN5 and BH3 of the Blackpool Local Plan 2001/2016; and the SPD insofar as they seek to ensure well-designed quality living accommodation that makes effective use of land and that the subdivision of properties does not conflict with wider efforts for the improvement of the neighbourhood.

Conditions

13. I have had regard to the conditions suggested by the Council. The appellant has been given the opportunity to comment on these, including those which are drafted as pre-commencement conditions. The response received has been taken into account.
14. I have attached the time limit condition and a condition relating to plans in the interests of certainty and proper planning. A condition is necessary to restrict the use to residential occupation as other uses may have different effects to that considered for the proposal, while a condition that all internal and external alterations shall be carried out prior to first occupation and the layout retained thereafter is necessary in the interests of character and appearance and the living conditions of future occupiers.
15. Various conditions are attached requiring actions prior to the commencement of the approved use. These relate to: provision of refuse storage; provision of cycle storage; and the removal of commercial signage. These are necessary in the interests of living conditions of future occupiers; promotion of sustainable transport; and character and appearance, respectively.

Conclusion

16. For the reasons given, the proposal would accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be allowed, subject to the conditions in the attached schedule.

C Rafferty

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location, Block Plan and Roof Plan 1791.P.1 Rev B; Existing Floor Plans 1791.E.2 Rev A; Existing Elevations 1791.E.3 Rev A; Proposed Floor Plans 1791.P2 Rev C; and Proposed Elevations 1791.P3 Rev B.
3. Prior to first occupation of the development hereby permitted all internal and external alterations shown on the approved plans shall be carried out, and the layout of the accommodation shall be retained thereafter.
4. The accommodation shall be used for permanent residential occupation within Class C3 of the Town and Country Planning (Use Classes) Order 1987 only and for no other purpose.
5. The development hereby permitted shall not be brought into use until the refuse storage has been provided in accordance with the approved plans. The approved refuse storage shall thereafter be maintained and retained exclusively for this use.
6. The development hereby permitted shall not be brought into use until the cycle storage has been provided in accordance with the approved plans. The approved cycle storage shall thereafter be maintained and retained exclusively for this use.
7. The development hereby permitted shall not be brought into use until the existing commercial signage and awnings have been removed and the surfaces made good.

END OF SCHEDULE