



Appeal Decision

Site visit made on 18 February 2025

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 April 2025

Appeal Ref: APP/J2373/W/24/3354441

51-53 Lytham Road, Blackpool FY1 6DU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Kavita Gill against the decision of Blackpool Council.
 - The application Ref is 24/0139.
 - The development proposed is change of use of ground floor of 53 Lytham Road to off-license and installation of canopy to front of 51-53 Lytham Road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Prior to the determination of this appeal, a new version of the National Planning Policy Framework (the Framework) has been published. The substantive matters of the case before me are not however affected by the changes. I do not therefore feel any of the main parties' cases would be prejudiced by me proceeding without further consultation thereon.
3. The building is currently in use as a convenience store. Both the convenience store and off-licence fall within Class E of the Town and Country Planning (Use Classes) Order 1987. The Council do not consider that the proposal would result in a change of use of the property and from the evidence before me I have no reason to disagree. I have therefore determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal property is a two-storey terraced property in mixed use, with retail and cafe to the ground floor and residential above. It lies within a mixed-use area with some premises having canopies, of varying designs, over the forecourts. The canopy would provide a covered seating area for the cafe and allow items from the shop to be displayed on the forecourt.
6. The premises have recently been granted approval for new shop front¹. Whilst this improvement to the street scene would enhance the character and appearance of the area, the introduction of a canopy would project forward of the building line and

¹ Planning ref- 23/0042

be a visually intrusive and incongruous addition to the street scene. In addition, the introduction of items for sale and seating for the cafe would create clutter, further adding to the visual impact on the street scene.

7. There is no substantive evidence before me to indicate that the proposed canopy is essential to maintain a viable business at the premises. In addition, I acknowledge that there is no reason for me to consider that the proposed canopy would not be well maintained.
8. I have had regard to the examples of canopies which have been brought to my attention, as well as others which I saw on my site visit. However, the existing canopies, even if they are well maintained, do not create a positive feature in the street scene, obscuring the built form of the properties behind them and creating clutter at ground level. They are an incongruous feature and dominate the street scene.
9. The proposal would harm the character and appearance of the area. It would conflict with Policies CS7 and CS22 of the Blackpool Local Plan Part 1: Core Strategy 2012-2017 and Policies DM17, DM20 and DM22 of the Blackpool Local Plan Part Two: Site Allocations and Development Management Policies 2012-2027 which together and amongst other matters seek to ensure that development enhances the character and appearance of the local area and building and improves shop frontages on Key Resort Gateways.

Conclusion

10. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Senior

INSPECTOR