



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: 03 June 2025

Appeal Ref: APP/J2373/W/24/3353354

133 Hornby Road, Blackpool FY1 4JG

- 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 Sara Jones (Rocco Properties Ltd) against the decision of Blackpool Council.
 - The application Ref is 24/0071.
 - The development proposed is use of premises as 5 self-contained permanent flats and erection of boundary wall, access ramp to the front of the building and creation of no.3 car parking spaces to the rear of the building, erection of a bin store and bike store and associated landscaping following demolition of a single storey garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant's statement of case indicates that the number of flats would be reduced from 5 to 4 to remove the one-bedroom flat, although no amended drawings have been supplied. The procedural guide for planning appeals advises that the appeal process should not be used to evolve a scheme as it is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the local planning authority and by interested parties at the application stage. Therefore, I have determined the appeal based on the description of development and the plans submitted with the planning application to the Council and upon which the views of interested parties were sought.
3. 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.

Main Issues

4. The main issues are a) whether the site is a suitable location for the proposal having regard its use of existing extensions to the appeal building and the concentration of flatted development in the area; b) the effect of the proposal on the living conditions of future occupiers with regard to outdoor amenity space, including the use of a non-original extension and the provision of public open space; c) whether the proposal makes suitable provision for off-street parking; d) the effect of the proposal on existing trees; and e) whether the development secures an appropriate contribution towards the provision of new trees.

Reasons

Suitable Location

5. The host property is a previously extended semi-detached building in a mixed area with residential, commercial and care home properties nearby. The appeal proposal comprises the creation of four 2-bedroom flats, including an accessible flat and a 1-bedroom studio flat. One of the 2-bedroom flats would occupy the existing single storey extension to the rear of the property.
6. Policy DM5 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027 (SADMP) in the Inner Area, resists the change of use of existing buildings for residential use where the proposal involves extensions to the property. In this case, although the building has been previously extended, the appeal proposal does not include an extension to the property. I do not therefore consider that this part of the policy is relevant to the current appeal.
7. Policy CS13 of the Blackpool Local Plan Part 1 Core Strategy (2016) (CS) requires new residential development to provide an appropriate mix of house types and sizes as well as not permitting development which would further intensify existing over concentrations of flats.
8. From the evidence before me, Blackpool has an average of 21.1% flat accommodation, although the area around the appeal site has an average of 57.7%. The five additional flats, even though they are mainly two-bed flats, would increase the concentration of flatted development in the area which would further unbalance the housing supply and not support the aim of creating sustainable communities.
9. Whilst I have found that the site is a suitable location for the proposed development with regard to its use of existing extensions, it is not a suitable location for the proposal having regard the concentration of flatted development in the area. The proposal would conflict with Policy CS13 of the CS and Policy DM5 of the SADMP which together, and amongst other matters, seek to ensure that development does not intensify any over provision of flats.

Living Conditions

10. The guidance in New Homes from Old Spaces Supplementary Planning Document (2011) (NHFOSSPD) states that non-original extensions may be required to be removed to maximise opportunities for the provision of outdoor amenity space.
11. The Greening of Blackpool Supplementary Planning Document (GBSPD) explains how the requirements of Policy CS6 of the CS are to be met. It requires that all new residential development (including change of use) providing three or more units should provide 40 square metres of open space per person. If the full provision of open space cannot be provided on-site, a financial contribution towards up grading open space off-site will be required.
12. The presence of the non-original extension and the proposed parking spaces to the rear of the property would limit the amount of outdoor amenity space available to the occupiers of the flats. The resultant amount of outdoor space would be narrow and between the parking spaces and rear of the property. It would be inadequate for the occupiers to utilise for relaxing outdoors and for activities such as drying washing.

13. Although the appellant has indicated that the parking spaces could be moved to the front of the property to provide additional outdoor amenity space, this is not before me. In addition, it would result in the front boundary wall not being rebuilt which would be a benefit of the scheme and the omission of two proposed trees, the relevance of which I shall return to later in my decision.
14. The appeal is accompanied by a draft planning obligation with regard to the provision of a financial contribution towards the up grading of off-site open space in lieu of on-site provision. However, a duly signed obligation is not before me.
15. The proposal would harm the living conditions of future occupiers with regard to outdoor amenity space including the use of a non-original extension and the provision of public open space. It would conflict with Policies CS6 and CS11 of the CS and Policies DM1 and DM21 of the SADMP which amongst other matters seeks to ensure that development provides adequate private amenity space and where on-site provision is not possible, financial contributions will be sought.

Parking Provision

16. The proposal would require seven on-site parking spaces to accord with Appendix G1 of the SADMP whereas four would be provided, three with access from the rear of the premises and an accessible parking space to the front. The site is located within walking distance of several amenities and services and close to bus stops which would encourage the use of alternative forms of transport such as walking and cycling, reducing the need for occupiers to own a vehicle. However, the provision of only four off-street parking spaces could increase the need for on-street parking.
17. Whilst I acknowledge the comments made by an interested party, there is limited substantive evidence before me relating to the availability of on-street parking, including in the form of parking surveys. Furthermore, at the time of my site visit, which I acknowledge was a snapshot in time, there were available on street parking spaces, in the vicinity of the proposal. As the previous use of the property was a care home, this use could have necessitated on street parking. The harm to parking provision caused by the proposed use in combination with the site's accessibility would not cause additional harm and justifies a lower provision of off street parking than those required in Appendix G1.
18. Whilst it would conflict with Policy DM41 of the SADMP which amongst other matters seeks to ensure that development provides car parking in accordance with parking standards, there is no substantive evidence before me to suggest that there is limited nearby on-street parking or that any potential additional vehicles from the development would increase parking pressures. The proposal would therefore make suitable provision for off-street parking.

Existing Trees

19. To the rear of the property there is an existing tree, close to the boundary with 131 Hornby Road and to the existing non-original extension. It is a fairly substantial tree with canopy spread over part of the site. The proposal was not accompanied by a tree survey or an arboricultural impact assessment. I cannot therefore be certain that the proposed hard landscaping, including the provision of the parking spaces would not be harmful to the long-term health of the tree. Whilst the

proposed landscaping is similar to that previously approved¹, there is no substantive evidence before me to be certain that the tree could successfully be relocated, or information on its future position.

20. I conclude that the proposal would conflict with Policy CS6 of the CS and Policy DM21 of the SADMP which together, and amongst other matters, seek to ensure that development protects existing green infrastructure, and that the layout of the site retains and protects trees.

Tree Planting

21. The GBSPD requires that all new residential development (including change of use) providing three or more units will be required to provide two trees for each dwelling. If the full provision of tree planting cannot be provided on-site, a financial contribution towards tree planting off-site will be required. There are two proposed trees shown on the application drawings but the requirement for the proposed number of flats would be ten.
22. I have not been provided with a signed legal agreement to secure the required number of additional trees, without which the proposal would not accord with the aims of GBSPD to increase the number of trees in Blackpool. I cannot therefore be certain that there is an appropriate mechanism to ensure that the development would secure the necessary contributions to make the scheme acceptable in planning terms. Planning conditions are not a suitable or enforceable mechanism to do so.
23. I conclude that the proposal would not secure an appropriate contribution towards the provision of new trees. It would therefore conflict with Policies CS6 and CS11 of the CS and Policy DM21 of the SADMP which together and amongst other matters seek to ensure that development proposals incorporate new or enhanced green infrastructure of an appropriate size, type and standard and where this is not possible financial contributions will be sought. It would also conflict with the guidance in the GBSPD.

Other Matters

24. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the Raikes Hall Conservation Area (CA). The significance of which derives in part from its origins as a 20th Century suburb with buildings constructed from local brick with bay windows and front boundary walls. The character and appearance of the CA as a whole would be preserved by the development. I note that the Council raised no objection in this regard. Nevertheless, this lack of harm weighs neutrally and does not alter my conclusion on the main issues.
25. Although there is no provision for EV charging, this could be the subject of a suitable worded condition, including details on arrangements for future operation and maintenance should the appeal be allowed.

¹ Planning Ref 23/0257

Planning Balance and Conclusion

26. Whilst the appeal scheme would make be a suitable location for the proposal having regard to its use of existing extensions and make suitable provision for off street parking, it would not accord with the development plan in regard of whether the location is suitable having regard to the concentration of flatted development in the area, the living conditions of future occupiers with regard to outdoor amenity space including the use of a non-original extension, existing trees and whether the development secures an appropriate contribution towards the provision of new trees. I would ascribe these matters great weight given their nature and scope. It would however provide new self-contained residential accommodation and would contribute to the mix and supply of homes in the area. It would also provide improvements to the character and appearance of the area through the rebuilding of the front boundary wall. However, due to the scale of the proposals, I would afford these matters moderate weight.
27. With this and the above in mind, it is clear that there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. The appeal should therefore be dismissed.

H Senior

INSPECTOR