

<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Gary Johnston, Head of Development Management
<b>Date of Meeting:</b>	21 November 2017

## PLANNING/ENFORCEMENT APPEALS DETERMINED/ LODGED

### 1.0 Purpose of the report:

1.1 The Committee is requested to note the planning and enforcement appeals lodged and determined.

### 2.0 Recommendation(s):

2.1 To note the report.

### 3.0 Reasons for recommendation(s):

3.1 To provide the Committee with a summary of planning appeals for information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

3.4 None, the report is for information only.

### 4.0 Council Priority:

4.1 The relevant Council Priority is 'The Economy: maximising growth and opportunity across Blackpool'

## 5.0 Background Information

### 5.1 Planning/Enforcement Appeals Determined

#### 5.2 Unit 1, 71 Moor Park Avenue, Blackpool, FY2 0LY (16/0253)

5.2.1 An appeal was submitted against a refusal to grant planning permission for a change of use of part warehouse from Class B2 general industry to Class A1 retail.

5.2.2 **Decision:** The appeal was dismissed.

5.2.3 The planning application form states that the change of use applies to 387.7 square metres of the unit, which is 1,203 square metres in total. However, at the application stage a revised plan was submitted that showed the retail area as being 679.7 square metres in size. On the Planning Inspector's site visit, the latter plan appeared to better reflect the existing configuration. However, the appellant is clear that they have applied for 387.7 square metres of retail only. The Planning Inspector therefore determined the appeal based on this quantum of floorspace.

#### 5.2.4 Main Issues

The main issues are, firstly, the effect of the development on the local supply of employment land and, secondly, whether there is a sequentially preferable site on which the retail proposal could be accommodated, bearing in mind the need to demonstrate flexibility.

5.2.5 On the first issue, the Inspector concluded that the development results in a harmful reduction in the supply of employment land, contrary to Policy DE1 of the Blackpool Local Plan 2001-2016 (2006), and Policy CS3 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (2016).

5.2.6 On the second issue the Inspector concluded that it has not been demonstrated that the development would pass the sequential test. It is therefore contrary to Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (2016). This policy states that out of centre locations will only be considered where there are no more centrally located/sequentially preferable sites available. It would also be at odds with the Framework which requires that retail proposals in out of centre locations pass the sequential test.

5.2.7 A copy of the Inspector's decision dated 23 October 2017 is attached as Appendix 3a.

### 5.3 **Land to rear 17-23 Carleton Avenue, Blackpool (16/0499)**

5.3.1 An appeal was submitted by Mr Simon Billington against the decision of Blackpool Borough Council to refuse outline planning permission for four new bungalows.

5.3.2 **Decision:** The appeal was dismissed.

#### 5.3.3 **Main Issues**

Firstly, the effect of the development on the living conditions of future occupiers with regard to internal space, outlook, natural light, and noise and disturbance and, secondly, whether the development would prejudice highway and public safety.

The appeal site comprises a relatively narrow area of overgrown land. It is located between the rear of properties fronting Carleton Avenue, and industrial units fronting Mowbray Drive. The development would introduce a terrace of four bungalows onto this land with rear gardens that would back onto the industrial units. The proposed rear gardens would be around 4.5 metres in length.

5.3.4 On the first issue the Inspector concluded that the development would significantly harm the living conditions of future occupiers of the development with regard to outlook, natural light, and noise and disturbance. It would therefore be contrary to Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (2016) and Policies LQ1, LQ2, LQ4, BH3 and BH4 of the Blackpool Local Plan 2001-2016 (2006).

5.3.5 On the second issue the Inspector concluded that the development would prejudice highway and public safety. It would therefore be contrary to Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (2016) and Policies AS1, LQ1, LQ3, and LQ4 of the Blackpool Local Plan 2001-2016 (2006).

5.3.6 A copy of the Inspector's decision dated 12 October 2017 is attached as Appendix 3b.

### 5.4 **Planning/Enforcement Appeals Lodged**

5.4.1 None

5.5 Does the information submitted include any exempt information? No

#### 5.6 **List of Appendices:**

5.6.1 Appendix 3a - A copy of the Inspector's decision dated 23 October 2017  
Appendix 3b - A copy of the Inspector's decision dated 12 October 2017

**6.0 Legal considerations:**

6.1 None

**7.0 Human Resources considerations:**

7.1 None

**8.0 Equalities considerations:**

8.1 None

**9.0 Financial considerations:**

9.1 None

**10.0 Risk management considerations:**

10.1 None

**11.0 Ethical considerations:**

11.1 None

**12.0 Internal/ External Consultation undertaken:**

12.1 None

**13.0 Background papers:**

13.1 None