

**Report to:**

**PLANNING COMMITTEE**

**Relevant Officer:**

Susan Parker, Head of Development Management

**Date of Meeting:**

22 January 2020

## **PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED**

### **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 Planning Appeals Lodged**

5.1 39 Melbourne Avenue, Blackpool, FY5 3DX (19/0357) – an appeal has been lodged by Ms Diane Hutchinson against the refusal of planning permission for the erection of single-storey side extension.

## **5.2 Planning/Enforcement Appeals Determined**

5.2.1 Erection of a dwellinghouse on land between Longfield and No. 21 Robins Lane, Blackpool, FY6 7QN (reference 19/0306)

5.2.2 Appeal dismissed

5.2.3 The main issues were:

- 1) Whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
- 2) The effect of the proposal on the openness of the Green Belt; and
- 3) If the proposal is inappropriate development, whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

5.2.4 *Whether the proposal would be inappropriate development*

Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policy CS6 of the Core Strategy 2012-2027 sets out that the Green Belt will be protected in accordance with national policy, to protect openness and character, and retain local distinctiveness. In this respect, Paragraph 145 of the Framework states that new buildings are inappropriate in the Green Belt unless they meet one of a limited number of specific exceptions, including 145 e) limited infilling in villages. The Framework does not define a village or what would constitute limited infilling.

In this case there is a distinct change in character where the defined urban edge meets the countryside. At this point, Robins Lane is an unadopted rural road with no footway and it is narrow and enclosed by tall hedges with overhanging trees. The consistency of the urban built form, including in terms of plot sizes, spacing and boundary treatments, quickly gives way to sparse and sporadic development characteristic of rural areas. Consequently, the Inspector considered that the site is not part of Carleton and it is not within a village for the purposes of the assessment.

The Inspector therefore concluded that the proposal would be inappropriate development in the Green Belt, as it would not meet the exceptions for the construction of new buildings set out in the Framework. It would conflict with paragraph 145 of the Framework. It therefore follows that it would also conflict with Policy CS6.

#### 5.2.5 *Effects on openness of the Green Belt*

Irrespective of its scale and appearance, there would be a significant visual impact resulting from the bulk of a new dwelling and associated domestic paraphernalia. The proposal would represent encroachment into the countryside and there would be a harmful loss of openness of the Green Belt. While the loss might be somewhat modest in the context of the Green Belt as a whole, there would be a moderate loss of openness in this locality.

#### 5.2.6 *Other Considerations*

While the accessibility of the site would be a small benefit, there are nevertheless likely to be other equally accessible sites in more suitable locations. This was therefore a matter which carried little weight in the Inspector's assessment.

5.2.7 The Planning Inspectorate decision letter is attached at Appendix 3(a) for information.

### 5.3 Retention of a log-flume ride at South Pier, Promenade, Blackpool, FY4 1BB (reference 18/0333)

5.3.1 Appeal dismissed

5.3.2 The Inspector considered the main issue to be the impact of the development on the character and appearance of the area and gave particular regard to the impact on the setting of South Pier as a locally-listed building. It was noted that a temporary permission had been granted for the relocation of the ride to enable the upgrade of the pier, but that the decision notice acknowledged the conflict with the Development Plan and made it clear that a permanent relocation was not considered acceptable.

5.3.3 The physically detached nature of the log-flume was noted and the Inspector considered it to form a stand-alone ride rather than a part of the pier. The ride was judged to obscure views of the pier. By virtue of its scale, massing, height and functional design, it was not considered to fit well with the quality of the upgraded promenade. The Inspector concluded that the ride harms the setting of the pier and did not consider that landscaping could be provided to mitigate this given its height. During the Inspector's site visit he noted the presence of the go-kart track to the

south of the pier but did not considered it to be a comparable development due to its reduced height and visual impact.

5.3.4 The Inspector noted that the works to the pier that were to be facilitated by the location of the log-flume had not been carried out and that no case had been advanced to justify the retention of the ride.

5.3.5 The scheme was found to be contrary to Policies LQ1, RR1, RR4 and RR11 of the Blackpool Local Plan 2001-2016, Policies CS7, CS8 and CS21 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and the National Planning Policy Framework by virtue of its detrimental visual impact and its impact upon the setting and heritage value of a locally-listed building.

5.3.6 The Planning Inspectorate decision letter is attached at Appendix 3(b) for information.

**5.4** Does the information submitted include any exempt information? No

**5.5 List of Appendices:**

5.5.1 Appendix 3(a): Letter from the Planning Inspectorate dated 30 October 2019  
Appendix 3(b): Letter from the Planning Inspectorate dated 19 November 2019

**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