

**Report to:**

**PLANNING COMMITTEE**

**Relevant Officer:**

Susan Parker, Head of Development Management

**Date of Meeting:**

1 September 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 priorities are both 'The Economy: maximising growth and opportunity across Blackpool' and 'Communities: creating stronger communities and increasing resilience'.

## **5.0 Planning Appeals Lodged**

5.1 None.

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

5.2.1 20/0061 – 29 Webster Avenue – Erection of single storey side extension.

5.2.2 Appeal Dismissed

5.2.3 Revised plans not seen by the Council were submitted for the appeal and it was judged that the design of the extension in terms of materials used, appearance, and size in comparison to the main dwelling was acceptable in the context of Webster Avenue. However, by virtue of its size and location on the side elevation of a corner property, the extension would disrupt uniformity of the street scene on Johnsville Avenue as the design would not relate well to the character of Johnsville Avenue. Additionally, the extension would project past the established building line of Johnsville Avenue and would appear prominent and incongruous in the context of this street, even when considering the altered plans submitted to the inspectorate that show a greater distance between the extension and the side boundary of the property than originally illustrated on the plans seen by the council. Whilst the site is currently screened by greenery along the boundary with the highway on Johnsville Avenue, the incline of the road means that the proposal would still be visible and conspicuous from further down Johnsville Avenue. The inspector commented that, in any case, landscaping should not be used to screen inappropriate development from view. A similar single storey side extension nearby was noted, but it was acknowledged that due to the differing context, the extension was not comparable to the appeal scheme. The inspector concluded that the proposal would result in harm to the character and appearance of the area.

5.2.4 19/0688 – Unit 2 Woodman Centre, Vicarage Lane – use of premises as tanning salon

5.2.5 Appeal Dismissed

5.2.6 The unit has planning permission for use within classes B1 (business/light industry), B8 (warehousing and distribution) or as a vehicle, cycle, kitchen, bedroom or furniture showroom. It is currently vacant.

The Inspector noted the lack of substantive evidence that the lawful use of the premises was within class A1 (retail) and so judged the proposal against the use approved through planning permission. She considered the key issues to be the impact on the supply of employment land and the vitality and viability of town centres.

The Inspector acknowledged that the constrained nature of the borough results in limited opportunities for future employment development and expansion. Given the lack of evidence in relation to appropriate marketing, the Inspector did not accept that employment use of the premises would not be commercially viable. As such the proposal would result in the loss of employment premises within a defined industrial/business estate. This would be contrary to Policy CS3 of the Core Strategy, DE1 of the Local Plan and the aims of the NPPF. As such it would be unacceptable.

With regard to the impact on the town centre, the Inspector noted that Blackpool is underperforming and needs investment to maintain its vitality and viability. She considered the requirement of CS4 to avoid out-of-centre development, avoid harm to existing centres, and not to undermine regeneration objectives to be in accordance with the NPPF. Although the site is in a reasonably accessible location and might not, in itself, be harmful, it would undermine regeneration objectives and contribute to cumulative adverse impacts on the town centre.

The Inspector did not consider that the Appellant had satisfied the needs of the exceptions test and did not accept that a tanning salon could not operate within a town centre due to lack of parking. She felt the use proposed to be suitable to a town centre location. The sandwich shop on the business park was considered to support the wider function of the area and the larger stores and leisure uses in the vicinity fall outside of the safeguarded employment area. As such they were not considered to provide justification for the proposal.

Likewise the appellant's preferences and any job creation were not considered sufficient to outweigh the identified harm. On this basis, the appeal was dismissed.

5.2.7 The Planning Inspectorate decision letter can be viewed online at <https://idoxpa.blackpool.gov.uk/online-applications/>

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

**5.4 List of Appendices:**

5.4.1 None.

**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.