

<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Susan Parker, Head of Development Management
<b>Date of Meeting:</b>	6 September 2022

## 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.

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

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

### 4.0 Other alternative options to be considered

4.1 None, the report is for information only.

### 5.0 Council Priority:

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

## **6.0 Planning Appeals Lodged**

- 6.2 21/1060 – Corner of New Bonny Street and Central Drive Blackpool - Installation of 15metre high monopole with wraparound cabinet base, 3no additional equipment cabinets and associated works.

An appeal has been lodged by CK Hutchison Networks (UK) Ltd against the Council's refusal of planning permission

- 6.3 21/0872 – 266 Whitegate Drive, Blackpool - Installation of a glazed veranda canopy to the front elevation.

An appeal has been lodged by Ms Sam Jones against the Council's refusal of planning permission

- 6.4 21/1073 - 6a-10A Dickson Road, Blackpool - Retention of an automated teller machine (ATM).

An appeal has been lodged by Cardtronics UK Ltd against the Council's refusal of planning permission

- 6.5 21/1074 - 6a-10A Dickson Road, Blackpool - Retention of internally illuminated automated teller machine surround and internally illuminated "logo" panel.

An appeal has been lodged by Cardtronics UK Ltd against the Council's refusal of advertisement consent.

- 6.6 22/0052 - Land at Festival Leisure Park, Land on the North side of Rigby Road, Facing Seasiders Way - Display of 2 freestanding 3m x 6m internally illuminated LED digital advertisement screens.

An appeal has been lodged by Austringer Capital Limited against the Council's refusal of advertisement consent

## **7.0 Planning/Enforcement Appeals Determined**

- 7.1 22/0061 - 159-163 Devonshire Road, Blackpool. Display 1 LED screen to side of 368 Talbot Road

Appeal Dismissed

The Inspector agreed that the main issue is the effect of the proposed advertisement on amenity. He stated that because of its size and elevated position the advertisement would appear particularly dominant for passers-by. The

advertisement would be unduly prominent for the residents whose houses front Devonshire Road, on the opposite side of the junction, and from the back of the closes houses on Catterall Place. The introduction of a large digital advertisement would be a dominant feature that would be markedly out of keeping and discordant in the visual context of this transition area. This would be exacerbated by the alternative imagery and text.

For the above reasons the Inspector concluded that the proposal would have a significant adverse effect on the amenity of the area and therefore the appeal should be dismissed.

7.2 21/0474 - 57 Central Drive, Blackpool, FY1 5DS. Erection of rear roof lift to form additional bedrooms, bathroom and storage.

Appeal Dismissed

The Inspector set out that the main issues were the effect of the proposed development on the character and appearance of the host building and surrounding area, whether the proposed development would provide acceptable living conditions for future occupants, with particular reference to the provision of private amenity space and housing density and the effect of the proposed development on the living conditions of the occupiers of 59 Central Drive, with particular reference to outlook and privacy.

With regard to character and appearance, they stated that The proposed increase in height of the roof and flat roof would have a poor relationship with the adjoining properties and wider terrace. The use of brick to the upper floor would draw the eye to the extension. The introduction of two roof lights, at differing heights, would dominate the roof plane of the principal elevation. The scheme did not include architectural details or features to provide depth or visual interest and would not be characteristic of the host building or other buildings within the terrace which have a broadly consistent character and appearance. Consequently, the roof lift, flat roof and roof lights would result in a poorly designed development which, due to their scale, bulk and position, would appear at odds with the established pattern of development and the terrace, contrary to the Council's key design policies.

In terms of living conditions for future occupants, they noted that site is in the second most deprived area in the country which is densely developed with little open space. They noted that a large percentage of the local housing stock comprised flats which was significantly more than local, regional and national averages which resulted in an over-concentration and that planning policy sought to address those matters. They set out that there was no separate access and there would be no reasonable way to control occupant numbers. The number of bedrooms would increase from 1 to 4 and could accommodate a family. No external space was

provided and having regard to the size of the flat, the proposed development would conflict with the Council's efforts to improve the living environment and establish more balanced and healthy communities. This is because it is likely to exacerbate the high housing density in the area, to a degree, and result in an overly intensive occupation of the building. In addition, it would not provide an adequate outdoor area for future occupiers, particularly given the size of the extended flat proposed.

With regard to impact on existing neighbours, the Inspector stated the proposed roof lift would result in No 57 being more dominant when viewed from No 59's windows and would result in a tunneling effect. The scheme would have an intrusive and oppressive effect and would have an overbearing impact. The outlook from No 59's windows, facing towards the appeal site, would be significantly compromised with the effect that the occupiers would feel hemmed in when looking out of these windows. This is due to the proposed increase in height, scale and small gap between No 59's windows and the proposed development. On the basis, the new windows would allow occupiers of No 57 to look into the side windows of No 59 which would result in a loss of privacy. They recognize that the host building has existing windows which face towards No 59. Nonetheless, the scheme would increase the number of windows which face towards No 59 and would adversely increase the level of overlooking.

For the reasons above, the Inspector dismissed the appeal.

7.3 21/0566 - 32 Lytham Road, Blackpool, FY1 6DY. External alterations including provision of bike and bin store to rear and use of premises as altered as 3 self-contained permanent flats.

Appeal Dismissed

The Inspector set out that the main issues were the effect of the proposal on the character and appearance of the host property and surrounding area.

The scheme was a resubmission of a previously approved application for external alterations to provide a traditional residential frontage and use of the property as three self-contained flats. This application was largely the same other than the removal of the external alterations and retention of the sun lounge to front. The Inspector noted that the terrace included traditional stone bays and also sun lounges. The sun lounges tended to relate to commercial and hotel uses rather than residential uses. The examples provided by the Council of replacement frontages demonstrated that the removal of sun lounges positively impacted the area and reinforced residential character.

The Inspector set out that the retention of the unsympathetic sun lounge to the principal elevation of the host building, which is located along an identified key resort

gateway, would fail to establish and extend the residential character of the building and along the terrace. The scheme did not include appropriate proposals to establish residential character and would fail to contribute towards raising the standard of the wider built environment and streetscape.

For the above reasons the Inspector concluded that the proposal would have a significant adverse effect on the amenity of the area and therefore the appeal should be dismissed.

7.4 22/0036 – 338 Midgeland Road, Blackpool, FY4 5HZ – erection of a single-storey detached garage.

Appeal Dismissed

The Inspector considered the main issue to be whether or not the garage would preserve or enhance the character and appearance of the Marton Moss Conservation Area.

They noted that the significance of the Conservation Area derived in part from its history of piecemeal, post-medieval enclosure. The implementation of a 2010 permission was noted and the Inspector observed that dwelling now appeared substantially large with a wide and tall front elevation. The open land to the north meant there were long views of the extensive side elevation.

The large size of the garage was described along with its materials and siting to the front of the property, close to the road and the northern boundary. By virtue of its size and wide separation from the house, the Inspector judged that the garage would be a prominent and conspicuous feature. Whilst it would match the main house, the use of cedar cladding would be uncharacteristic in the area. As such, the overly-large garage would appear out of scale and out of keeping with the streetscene, and would not assimilate well.

Although dense planting would help screen the garage, it would still be visible through gaps and, as vegetation was not permanent, it should not be relied upon to make a development acceptable. On balance, the garage would not make a positive contribution to the Conservation Area.

The Inspector concluded that the development would result in less than significant harm to the heritage asset and that the harm must therefore be weighed against the public benefit of the scheme as required by the National Planning Policy Framework. As the garage would be private, it would offer negligible public benefit. On this basis, the development failed to satisfy the requirements of the relevant legislation and policy.

The Appellant's willingness to alter the materials was noted but was not considered sufficient to overcome the concerns. The Council's handling of the application was not a matter to be weighed in the planning balance. Finally, it was noted that the applicant could park vehicles within the site regardless of the outcome of the appeal and that this did not provide justification for the scheme.

For the reasons above the Inspector dismissed the appeal.

7.5 The Planning Inspectorate decisions can be viewed online at <https://idoxpa.blackpool.gov.uk/online-applications/> using the relevant application reference for the decision.

7.6 Does the information submitted include any exempt information? No

**8.0 List of Appendices:**

8.1 None

**9.0 Financial considerations:**

9.1 None

**10.0 Legal considerations:**

10.1 None

**11.0 Risk management considerations:**

11.1 None

**12.0 Equalities considerations:**

12.1 None

**13.0 Sustainability, climate change and environmental considerations:**

13.1 None

**14.0 Internal/ External Consultation undertaken:**

14.1 None

**15.0 Background papers:**

15.1 None