

**Report to:**

**PLANNING COMMITTEE**

**Relevant Officer:**

Susan Parker, Head of Development Management

**Date of Meeting:**

8 October 2024

## **DEVELOPMENT MANAGEMENT - APPEALS LODGED AND DETERMINED**

### **1.0 Purpose of the report:**

1.1 The Committee is requested to note the planning appeals that have been lodged and determined since the last meeting.

### **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

3.3 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:

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

## 6.0 Planning Appeals Lodged

Application reference:	Address:	Description of proposal:	Reason for appeal:
23/0403	465 Promenade, Blackpool, FY4 1AR	Erection of outside bar, 8 enclosed seating areas/pods (huts), decking, stage area and glass balustrade to forecourt.	Refusal of planning permission

## 7.0 Planning Appeals Determined

Application reference:	24/0231
Address:	22-36 Church street, Blackpool
Description of proposal:	Display two pvc promotional banners measuring 6.7m x 5.9m and 6.7m x 6.9m at high level facing Church Street and Corporation Street elevations.
Reason for appeal:	Refusal of advertisement consent
Decision:	Appeal dismissed
Summary of decision:	<p>The Inspector agreed the main issue is the effect of the proposed advertisements on amenity.</p> <p>She stated that sign A would largely fill the expanse of blank wall to the side of the upper floor windows. By virtue of its size and design, it would be poorly related to the appeal building. It would be dominant and conspicuous in views along Market Street and also looking east along Church Street. It would be a visually discordant addition to the street scene and it would detract from townscape views including towards the Grand Theatre and the Municipal Building and The Counting House.</p> <p>She went on to say sign B would be conspicuous in views along Church Street and from Corporation Street. The overly large, high level advertising would be visually obtrusive and it would compete with and detract from the fine views of the Grand Theatre. On the approach to Church Street from Corporation Street, Banner B would also be discordant in the visual context of Blackpool Tower.</p> <p>She concluded that they would individually be markedly out of keeping with their surroundings. The banners would have a contemporary and temporary appearance that would not constitute high quality design nor contribute positively to local distinctiveness or sense of place and that</p>

	they would fail to preserve or enhance the character or appearance of the Conservation Area.
<b>Costs sought:</b>	No
<b>Costs awarded:</b>	N/A
<b>Summary of costs decision:</b>	N/A

<b>Application reference:</b>	23/0511
<b>Address:</b>	Festival Leisure Park, Rigby Road, Blackpool FY1 5EP
<b>Description of proposal:</b>	External alterations to Unit 1 (the former Odeon building) including installation of roller shutters and a canopy to rear following the demolition of an existing bin store and use of Unit 1 as altered as a self-storage unit (Class B8), addition of a drive-thru lane to Unit 3 (the former Frankie and Benny's), additional drive-thru lane at Unit 5 (McDonalds) installation of a pedestrian access ramp off Rigby Road and alterations to the car parking layout.
<b>Reason for appeal:</b>	Refusal of planning permission.
<b>Decision:</b>	Appeal dismissed
<b>Summary of decision:</b>	<p>The Inspector agreed with the local planning authority, that the main issue with the appeal proposal was whether the site is a suitable location for a B8 self-storage use, having regard to the development plan strategy relating to employment uses and the Council's regeneration objectives for the area.</p> <p>The Inspector noted that the proposal would be of a substantial scale (12,232 sqm) that could be expected to serve a large area and considered that it is reasonable that it should be located on allocated employment land and sites which are more accessible to the strategic road network. That would support the Council's aim to enhance and redevelop its employment land.</p> <p>Such a large-scale employment use on an established leisure park, would be contrary to the plan-led strategy for Blackpool which seeks to direct such development to allocated employment land and sites.</p> <p>There was no evidence of any overriding need for such a facility in the area or why any such need could not be met on employment sites.</p> <p>The self-storage use would operate very differently to the cinema and adjacent leisure uses and it would be unlikely to generate high levels of activity and footfall in the way that a leisure use would. The use would direct activity towards the rear of the building so the use would not</p>

	contribute meaningfully to an active frontage on the leisure park and would be out of character with other uses on the park. The proposed use would not contribute positively to the viability of the leisure park or to the Council's aims for the Inner Area which are focused on residential and community led regeneration rather than on a storage use that would not complement its surroundings. The Inspector concluded that the proposal does not represent sustainable development and dismissed the appeal.
<b>Costs sought:</b>	No
<b>Costs awarded:</b>	N/A
<b>Summary of costs decision:</b>	N/A

<b>Application reference:</b>	24/0099
<b>Address:</b>	3 Moorland Court, Blackpool, FY4 4ZE
<b>Description of proposal:</b>	External alterations to ground floor front elevation and use of garage as altered as ancillary living space. Removal of front landscaping and creation of extended hardstanding to form 3rd parking space.
<b>Reason for appeal:</b>	Refusal of planning permission
<b>Decision:</b>	Appeal dismissed
<b>Summary of decision:</b>	<p>The Inspector agreed that the main issue is the effect of the proposal on the character and appearance of the area. The appeal development has already been carried out on site.</p> <p>She stated that the Council considered that, in the absence of any compelling justification, allowing the development would make it difficult to refuse similar future applications, resulting in cumulative detrimental effects on visual amenity, highway safety and congestion and flood risk. In this regard, the concerns that the appeal scheme could set a precedent do not appear unfounded.</p> <p>She considered that the works to the frontage of the conversion are not discordant or incongruous in the street scene. However, the works to remove all the landscaping and replace with tarmac to create an extra parking space is detrimental to the character and appearance of the street scene and the development does not contribute positively to local distinctiveness or sense of place. She concluded that the extended hardstanding frontage harms the character and appearance of the area.</p>
<b>Costs sought:</b>	No
<b>Costs awarded:</b>	N/A
<b>Summary of costs decision:</b>	N/A

7.2 Does the information submitted include any exempt information? No

**8.0 List of Appendices**

8.1 None, all appeal decisions and supporting information can be viewed in full at <https://idoxpa.blackpool.gov.uk/online-applications/> using the relevant application reference numbers as quoted above.

**9.0 Financial considerations**

9.1 None beyond any costs awards detailed above. Costs are awarded against the Council for unreasonable behaviour and can be significant. It is important that all planning decisions are made on robust and defensible grounds to minimise the risk of costs being awarded.

**10.0 Legal considerations**

10.1 None

**11.0 Risk management considerations**

11.1 None

**12.0 Equalities considerations and the impact of this decision for our children and young people:**

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