

**Report to:**

## **PLANNING COMMITTEE**

**Relevant Officer:**

Susan Parker, Head of Development Management

**Date of Meeting:**

10 December 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

<b>Application reference:</b>	<b>Address:</b>	<b>Description of proposal:</b>	<b>Reason for appeal:</b>
24/0071	133 Hornby Road, Blackpool, FY1 4JG	Use of premises as 5 self-contained permanent flats and erection of boundary wall, access ramp to the front of the building and creation of no.3 car parking spaces to the rear of the building, erection of a bin store and bike store and associated landscaping following demolition of a single storey garage (Resubmission of 23/0257)	Appeal Against Refusal of Planning Permission
24/0130	Land north of School Road, Blackpool, FY4 5EW	Permission in Principle (Stage 1) application for a residential development of a minimum of 1 dwelling and maximum number of 6 dwellings at Land North of School Road.	Appeal Against Refusal of Planning Permission
24/0463	66-74 Promenade, Blackpool, FY1 1HB	Display of 1no. static internally illuminated fascia sign, 1no. internally illuminated LED display, 1no. non illuminated fascia sign and cabachon lights to both sides of the entrance door (Retrospective application)	Appeal Against Refusal of Advert Consent
23/0767	384 Promenade, Blackpool, FY1 2LB	Use of premises as a self-contained holiday let (retrospective)	Appeal Against Refusal of Planning Permission
24/0057	136 Albert Road, Blackpool, FY1 4PL	Use of premises as 2 self-contained serviced holiday flats.	Appeal Against Refusal of Planning Permission

24/0115	77 Warbreck Drive. Blackpool, FY2 9RZ	Use of premises as 3 Self-contained permanent flats. (Certificate of Lawful Development - Existing)	Appeal Against Refusal of Certificate of Lawfulness - Existing
24/0139	51-53 Lytham Road, Blackpool, FY1 6DU	Installation of canopy to front elevation of 51-53 Lytham Road and use of ground floor of 53 Lytham Road as an off-license.	Appeal Against Refusal of Planning Permission
24/0248	12 Palmerston Close, Blackpool, FY4 4ZG	Installation of new window to front elevation and use of garage as altered as ancillary living space	Appeal Against Refusal of Planning Permission

## 7.0 Planning Appeals Determined

<b>Application reference:</b>	23/0738
<b>Address:</b>	First Floor, 11 Cedar Square, Blackpool, FY1 1BP
<b>Description of proposal:</b>	Change of use of redundant offices to 1 bedroom permanent flat.
<b>Reason for appeal:</b>	Refusal under delegated powers
<b>Decision:</b>	Appeal Dismissed
<b>Summary of decision:</b>	<p>The main issues were whether the proposed development would provide satisfactory living conditions for future occupiers, with regard to a safe means of access, internal living space, and noise and disturbance.</p> <p>With regard to safe access, the Inspector noted that even with CCTV and private lighting in place, the comings and goings of future residents would differ from those of office staff (from previous use). Access to the property would not be from a main street or a particularly public area. Properties that back onto the lane do not present active frontages at ground floor level, which would be typical of a street frontage. While I note the mix of commercial uses in the area, pedestrian use of Wood Street and the natural surveillance derived from it, would most likely reduce in the evenings, at a time when future occupiers would potentially</p>

	<p>feel most vulnerable.</p> <p>Even with the aforementioned security measures in place, access to the proposed flat from this rear lane would not provide a high standard of natural surveillance, comparable to a typical street frontage. Future occupiers would have no alternative access. Therefore, the appeal scheme would not be well-designed and safe, nor would it be designed to prevent crime or the fear of crime. The information before me does not demonstrate any exceptional circumstances as required by the Council's SPD. Therefore, the proposal would not provide satisfactory living conditions for future occupiers with regards to a safe means of access. As such, the appeal was dismissed on that basis.</p> <p>Other matters including living conditions, internal space, noise and disturbance, whilst found to be acceptable in the balance by the Inspector or could be made acceptable with conditions, could not outweigh the harm of the access in the balance.</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