

**Report to:**

## **PLANNING COMMITTEE**

**Relevant Officer:**

Susan Parker, Head of Development Management

**Date of Meeting:**

15 November 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

3.3 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 both 'The Economy: maximising growth and opportunity across Blackpool' and 'Communities: creating stronger communities and increasing resilience'.

### **6.0 Planning/Enforcement Appeals Determined**

6.1 **21/0872 -266 Whitegate Drive, Blackpool, FY3 9JW: Installation of a glazed veranda canopy to the front elevation.**

6.2 Appeal Allowed

- 6.3 The Inspector considered the main issues where the effect of the proposed development on the character and appearance of the host property and the area, and on the living conditions of the first-floor occupiers with regard to noise and smoke.

They set out that the appeal property lies in the middle of a terrace which has a variety of commercial uses on the ground floor and some residential uses above. The terrace, along with others in the vicinity of the site are set back at varying distances from the road behind forecourt areas, some of which are used for parking and others that contain a variety of seating and structures. There is variation in the design of the shopfronts and in the appearance of fascia signs. The variety of uses and the diversity in the townscape, including through the use of outdoor spaces gives the area a mixed character.

The Inspector considered that although it would project forward from the front of the building, it would only occupy around half the depth of the appeal site's forecourt. They note that the council had referenced the visibility of shopfronts from the wide-open pavement and forecourts, but they were able to see structures on forecourt areas of this and other nearby terraces as well as a bus shelter that interrupts views of shopfronts. Whilst these structures are not directly comparable to the appeal proposal, they state that the design of the scheme, with two slender posts and a shallow pitched glazed roof, would largely maintain views to the ground floor façade of the property. Its open front and sides would not give the development an undue sense of enclosure or give rise to a cluttered appearance, even if there was to be an enclosure of up to 1m high that could be added without planning permission and views of this sign or those on neighbouring properties would be largely unobstructed.

With regard to living conditions, the Inspector states that the set back of the canopy from the edge of the footway and the area underneath, which is contained by planters, provides a physical demarcation with the public domain. This reduces the likelihood of people congregating close to the entrance of the residential flat and as such, I do not therefore consider that noise from waiting passengers, some of whom may be smoking, would give rise to any such unacceptable impacts.

The Inspector also considered the cumulative impact and precedent however states that the appeal proposal would not constitute poor quality design. They also dismissed the Council's suggestion of a retractable awning but again emphasise that the scheme has been determined on its own merits.

- 6.4 For the reasons above the Inspector has allowed the appeal.

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

Does the information submitted include any exempt information? No

## **7.0 List of Appendices**

- 7.1 None

**8.0 Financial considerations:**

8.1 None

**9.0 Legal considerations:**

9.1 None

**10.0 Risk management considerations:**

10.1 None

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

11.1 None

**12.0 Internal/ External Consultation undertaken:**

12.1 None

**13.0 Background papers:**

13.1 None