

**APPEALS MONITORING REPORT RELATING TO APPEALS DETERMINED BETWEEN THE PERIOD 18^t OCTOBER 2019 AND 2nd OCTOBER 2020
PLANNING & HIGHWAYS COMMITTEE – 15th OCTOBER 2020**

APPEAL START DATE	APPEAL REFERENCE	APPEAL SITE ADDRESS & DEVELOPMENT DESCRIPTION	APPEAL TYPE	APPEAL DECISION	APPEAL DECISION DATE	REASONS FOR DECISION
17/01/2020	APP/M/2372/W/19/3243411 10/18/1153	Land adjoining Moorthorpe Cottage Park Road Darwen BB3 2LQ Outline planning application with all matters reserved except for access and layout for erection of 9 dwellings with detached garages	Written Representations	Allowed	05/06/2020	In summary, the Planning Inspector considered that the proposed development was acceptable for the following reasons: a) The site is allocated in the development plan for residential development and the Government’s objective is to significantly boost the supply of homes. Here, whilst the proposal is in outline, the detail supplied indicates that the house typology presented is consistent with the aims and objectives of Policy CS7 and LP Policy 18 to widen the choice of house types in the Borough.

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							<p>b) Neither the development plan nor national planning policy and guidance defines “very small-scale”. The Council recently granted planning permission for 22 houses on the “Ellerslie” site, which is a similar sized site to the appeal site, and is “small scale” as defined in the local plan. As such, the the development of 9 dwellings on the appeal site would be consistent with the policy reference to very small-scale.</p> <p>c) The proposed loss of trees would not materially affect the contribution of the wider woodland to the character and appearance of the area and would be outweighed by the benefits in terms of</p>

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						replacement planting and the management of what is otherwise a deteriorating environmental asset. The Planning Inspectorate considered the award of costs, and on the 30th June 2020, GRANTED FULL COSTS to the appellants.
07/08/2019	APP/M/2372/ W/19/3233214 10/19/0256	Newlands 61 Manor Road Darwen BB3 2SN Demolition of existing garage and outbuildings and erection of a new dwelling.	Written representations	Dismissed	04/11/2019	The Inspector concluded that the proposal would be harmful to the living conditions of the occupiers of the existing bungalow on site, No 61 Manor Road, by way of disturbance and loss of privacy. Consequently, the proposal would be contrary to Policy 8 of the LP. This policy requires proposals to secure a satisfactory level of amenity for surrounding uses and

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19/11/2019	APP/M2372/ W/19/3239476 10/19/0635	63 Whalley Banks Blackburn BB2 1TN Proposed metal storage container for Tyre business.	Written Representations	Dismissed	25/02/2020	for occupiers of the development itself. The appeal site is prominent within the Whalley Banks street scene, and although the container would be set back toward the rear of the site, it would appear incongruous, even within a predominantly commercial area. The Inspector concluded the temporary nature and appearance of the container would be at odds with the commercial nature of the locality and the functional buildings that form an intrinsic part of the local character, and as such, even in a commercial area, the container would cause harm to the character and appearance of the area, and be visually

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						intrusive within the street scene. As a result, the Inspector found that the proposal would be in clear conflict with Policy 11 of the Blackburn with Darwin Local Plan Part 2 (2015)(the LP), which amongst other matters, expect development to present a good standard of design, demonstrate an understanding of the wider context and make a positive contribution to the local area, contribute to the character of streets and complement local character.
31/12/2019	APP/M2372/ D/19/3238917 10/19/0660	20 Gorse Road Blackburn BB2 6LZ Proposed gable side double storey	Written Representations	Dismissed	25/02/2020	The Inspector concluded that the proposed extension would harm the living conditions of adjacent occupiers of 1 Mavis

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		extension and rear single storey extension					Road, with regard to outlook and light. In that respect the proposed development would not accord with Policy 8 of the Blackburn and Darwin Borough Local Plan Part 2, which seeks to ensure that new development protects the living conditions of neighbouring occupiers. The proposal would also not be in accordance with the guidance set out in Policy RES E3 of the Council's Residential Design Guide Supplementary Planning Document, and paragraph 127 of the National Planning Policy Framework insofar as they relate to protecting living conditions of neighbouring occupiers.

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10/02/2020	APP/M2372/ D/19/3242639 10/19/0718	142 Redlam Blackburn BB2 1UW Formation of a driveway and creation of a vehicular access	Written Representations	Dismissed	26/04/2020	The Inspector concluded the proposal would lead to unacceptable impacts on the safe and efficient operation of the highway network in the vicinity of the appeal site. As such, it would fail to comply with Policy 10 of the Blackburn with Darwen Borough Council Local Plan Part 2 Site Allocations and Development Management Policies, adopted December 2015. With the removal of part of the boundary wall along the frontage, the Inspector considered the proposal would fail to respect the character and appearance of the surrounding area. As such, it would fail to comply with Policy 11 of the Blackburn with

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						Darwen Borough Council Local Plan Part 2 Site Allocations and Development Management Policies, adopted December 2015.
16/12/2019	APP/M2372/ W/19/3240829 10/19/0823	Land South of Higher Pasture Farm Broadhead Road Turton Proposed agricultural building, stabling and menage	Written Representations	Dismissed	02/03/2020	The Inspector concluded the development as proposed would have an unacceptable impact on the character and appearance of the area and potentially harm water supplies contrary to the objectives of the development plan.
10/02/2020	APP/M2372/ D/20/3245019 10/19/0960	2 Hareden Brook Close Blackburn BB2 3HX Two Storey Side Extension	Written Representations	Allowed	26/03/2020	The Inspector concluded having had regard to the guidance set out in the RDG and for the reasons of the extension would not dominate the host property or street scene, the development would not cause harm to the

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						<p>character and appearance of the host dwelling or surrounding area. Accordingly, there would be no conflict with Policy 11 of the LPP2 or RES E9 and RES E18 of the RDG.</p>
26/05/2020	APP/M2372/W/20/3249042 10/19/1075	<p>Land adjacent to No.9 Petrel Close Blackburn</p> <p>Erection of Detached Dwelling</p>	Written Representations	Dismissed	03/09/2020	<p>The Inspector concluded the proposal fails to demonstrate that the open space is surplus to requirements. It would harm the character and appearance of the area. It would conflict with Policy 11 of the LPP2 and Policy CS16 of Blackburn with Darwen Borough Council Core Strategy Adopted January 2011. These require, amongst other things, that development respects and reinforces townscape character and public</p>

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						realm, creating attractive places with defensible amenity space and welcoming routes for the movement of people.
28/05/2020	APP/M2372/ W/20/3248072 10/19/1083	Former Hob Lane Village School Playing Field, Land North Side of School Lane and Section of School Lane Down To Blackburn Road Edgworth A. The erection of 5 detached 'Passivhaus' dwellings with associated garages, bin stores and private gardens, hard and soft landscaping, all accessed off School Lane (both vehicular and pedestrian access points) B. Retrospective permission for the change of use of part	Written representations	Dismissed	14/08/2020	The Inspector concluded that the development would result in a considerable loss of openness and would impact on the Green Belt purpose of safeguarding the countryside from encroachment.

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		of the former playing field to form private garden curtilage for No. 1 Edgworth Views C. The creation of a community eco-park comprising a pond/lake with dipping / viewing platform, an inaccessible (fenced off) ecology zone and an accessible park with associated wheelchair-accessible path, planted with native and orchard trees, shrub and other planting					

TOTAL NUMBER OF DECISIONS: 9

TOTAL NUMBER ALLOWED: 2 (22%)

TOTAL NUMBER DISMISSED: 7 (78%)