

**APPEALS MONITORING REPORT RELATING TO APPEALS DETERMINED BETWEEN THE PERIOD 7th APRIL 2023 AND 1st DECEMBER 2023
PLANNING & HIGHWAYS COMMITTEE – 14th DECEMBER 2023**

APPEAL START DATE	APPEAL REFERENCE	APPEAL SITE ADDRESS & DEVELOPMENT DESCRIPTION	APPEAL TYPE	APPEAL DECISION	APPEAL DECISION DATE	REASONS FOR DECISION
3 rd May 2022	APP/M2372/W/22/3290442 10/21/1009	Land South of Higher Pastures Farm Broadhead Road Turton Creation of hardstanding	Written Representations	Dismissed	5 th May 2023	The Inspector considered having regard to the size of the area proposed, it would result in an extensive area of hardstanding that could accommodate a significant number of items in a prominent and exposed site. The hardstanding area would not be located adjacent to existing buildings or landscape features that provide a certain level of screening. As a result, the proposal would be clearly visible from public vantage points and would cause harm to the visual amenity and character of the area. The proposal would conflict with the aims of Policies 11 and 41 of the Local Plan.

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29 th June 2023	APP/M2372/W/23/3318776 10/21/1059	33 Blackburn Road Darwen BB3 1EJ Change of use from cafe to hot food takeaway (retrospective)	Written Representations	Dismissed	16 th October 2023	The Inspector considered the proposal results in a closed frontage for long periods during daytime hours which is detrimental to the character and vitality of the District Centre, being contrary to Policy 27 of the Local Plan. In relation to the concentration of existing hot food takeaways close to the appeal site, and the proximity of local schools, the Inspector considered it would be likely to lead to an increase in the consumption of takeaway food by young people, contrary to Policy 33 of the Local Plan and the SPD guidance. Due to the lack of technical information relating to the extraction system the

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						Inspector considers there is likely to be an impact towards the living conditions of the of the first floor flat, particularly the bedroom window, contrary to Policy 8 of the Local Plan.
23 rd February 2023	APP/M/2372/W/22/3312377 10/22/0309	Masjid E Zainabia and Imambargah and adjoining unit Holly Street / Logwood Street Blackburn BB1 9TU Replacement roof and continued use of unit for the storage of motor vehicles (retrospective)	Written Representations	Dismissed	20 th July 2023	The Inspector considered that the living conditions for nearby residents would be harmed with particular regard to noise and disturbance, conflicting with Policy 8 of the Local Plan. In addition, the Inspector found the availability of parking of staff to be acceptable, however the use of the building for storage of vehicles conflicts with Policy 10 of the Local Plan by virtue of the significant effect on highway safety with particular regard to

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22 nd March 2023	APP/M/2372/D/23/3317111 10/22/0721	59 Earnsdale Road Darwen BB3 1HS Proposed double storey side and rear extension with part rear single storey extension	Written Representations	Dismissed	2 nd May 2023	servicing and manoeuvring. The Inspector considered the proposed extension would cause significant harm to the character and appearance of the host building and the local area, conflicting with Policy 11 of the Local Plan. COSTS DECISION: - The application for the award of costs is refused by the Inspector. The Inspector considered the Council had reasonable planning grounds for its decision. The Case officer raised concerns over the proposed materials and suggested other options which were not agreed by the appellants.

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						Unreasonable behaviour by the Council was not demonstrated during the assessment of the application, and therefore the award of costs to the appellant was refused.
3 rd July 2023	APP/M/2372/W/23/3319205 10/22/0739	5 Moorcroft Lower Darwen BB3 0RY Change of use from a dwellinghouse (Use Class C3) to a residential institution (Use Class C2) to house up to four families - parent(s) and one child - for 12 weeks durations, to allow 'Residential Parenting Assessments'	Written Representations	Dismissed	17 th October 2023	The Planning Inspector considered the comings and goings associated with supporting 4 vulnerable families in one property would be of noticeably greater intensity that that associated with the existing single dwelling or other dwellings along the street. This would occur by virtue of increased activity including those of a more commercial nature generated by frequent professional visits to up to 4 families as well as staff changeovers. The

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						<p>proposal would conflict with Policy 8 of the Local Plan. The windows of the neighbouring properties Nos 3 and 7 would be close to the parking area at the appeal property and with the increased comings and goings this would impact on the living conditions of those properties. In addition, the Inspector considered there would be conflict with Policy 47 of the local plan, as it is not demonstrated there is a need for the proposal arising from the requirements of people already ordinarily resident in the borough or of BwD service users currently receiving service outside of the borough.</p>
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6 th June 2023	APP/M/2372/Z/23/3315571 10/22/0967	16 Preston New Road Blackburn BB2 1AW Digital Internally Illuminated Outdoor LED Advertisement Screen	Written Representations	Dismissed	9 th November 2023	The Planning Inspector considered for those drivers approaching the junction along Preston New Road in a south-easterly direction, towards the junction, the advertisement would be highly prominent and driver's attention would be diverted by the illuminance and changing imagery at a point in the road where attention would be required to focus on traffic signals and road conditions, resulting in harm to highway safety in conflict with Policy 43 of the Local Plan.
19 th September 2023	APP/M2372/W/23/33229 10/22/1102	Roman Road street works Roman Road Blackburn BB1 2LB Proposed 5G telecoms	Written representations	Dismissed	22 nd November 2023	The Planning Inspector considered the proposed siting of the pole would result in a busy and cluttered appearance to this section of the road, with the structure

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		installation: H3G 18m high street pole and additional equipment cabinets				being highly visible with long ranging views. The structure would appear as an imposing and visually disruptive addition. The Inspector was not certain that other suitable alternative sites were fully and robustly considered
7 th July 2023	APP/M/2372/ D/23/3323456 10/22/1142	1 The Copse Edgworth Bolton BL7 ODP Proposed first floor addition to south east elevation and alterations to north elevation	Written Representations	Allowed	10 th August 2023	The Planning Inspector considered that the design and materials of the proposal have been carefully considered and would result in a satisfactory composition. The proposed changes would not result in harm to the character or appearance of the area and would add interest to the street scene, and therefore there is no conflict with Policy of the Local Plan and the residential design guide.

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19 th September 2023	APP/M/2372/ W/23/3323898 10/23/0207	74 Queens Park Road Blackburn BB1 1SE Retention of shed to front terrace to be used as food bank (Use Class F2) (retrospective)	Written Representations	Dismissed	15 th November 2023	The Planning Inspector considered the shed within the modest yard appears cramped and is visually imposing along the street scene. It is the only structure visible within the immediate terraced row. The proposal would conflict with Policies 8 and 11 of the Local Plan. In addition, the proposal would have a significant adverse effect on the living conditions of occupiers of adjacent dwellings with regard to noise and disturbance contrary to Policy 8 of the Local Plan.
29 th June 2023	APP/M/2372/ D/23/3323855 10/23/0218	Cambay Villas Billinge End Road Blackburn BB2 6PT	Written Representations	Dismissed	13 th September 2023	The Planning Inspector considered that the proposed structure would appear as a prominent and conspicuous feature that would dominate

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		Proposed insertion of entrance portico to front elevation				the ground floor frontage and obscure the traditional architectural detailing and proportions of the original building, contrary to Policy 11 of the Local Plan.
25 th August 2023	APP/M/2372/ D/23/3327226 10/23/0460	10 Brantfell Road Blackburn BB1 8DN Rear dormer (retrospective) (amendments following planning refusal App No: 10/23/0076)	Written Representations	Dismissed	11 th October 2023	The Planning Inspector took into account previous appeal decisions, and acknowledged the extension had been reduced. However, the Inspector still considered the extension would be the most dominant feature on the rear facing roof slope being clearly visible in views from the rear alley and is a dominant feature within the roofscape. The design would remain at odds with the property and fails to preserve or enhance the character or appearance of the

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						conservation area, contrary to Policies 11 and 39 of the Local Plan.
6 th February 2023	APP/M/2372/ C/23/3314223 2021E0370	10 Brantfell Road Blackburn BB1 8DN Appeal against Enforcement Notice relating to retention of dormer extension to rear roof space.	Written Representations	Dismissed, and the enforcement notice is upheld	9 th August 2023	The Planning Inspector considered that a dormer extension of reduced size would not remedy the breach of planning control. In addition, the Inspector considered that the compliance period of six months was reasonable and therefore should not be extended.

TOTAL NUMBER OF DECISIONS: 12

TOTAL NUMBER ALLOWED: 1 (8%)

TOTAL NUMBER DISMISSED: 11 (92%)