



Appeal Decision

Site visit made on 5 June 2025

by **S Brook BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 June 2025

Appeal Ref: APP/M2325/W/25/3359913

Blackpool Honda, Lytham St Annes Way, Westby with Plumpton FY4 5PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Blackpool Honda against the decision of Fylde Borough Council.
 - The application reference is 24/0129.
 - The development proposed is construction of new site access off Whitehill Road to rear of existing site.
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Decision

1. The appeal is allowed and planning permission is granted for construction of new site access off Whitehill Road to rear of existing site, at Blackpool Honda, Lytham St Annes Way, Westby with Plumpton, FY4 5PQ, in accordance with the terms of the application, reference 24/0129, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council's decision notice references only two plan, drawing nos 23030 P101 - Site Layout and Location Plan, and 23030 P102 - Proposed Street Elevation Plan. However, I have been provided with drawing nos 240101/01 and 240101/02 also. These additional plans do not appear to amend the proposed development. They show the swept path of an HGV and the effect of this on parking within the business park, and they include topographical data, showing the position and extent of hedgerow in relation to visibility splays. The appellant indicates that these additional plans were provided to the Council during the course of the application, and this is confirmed in the Council's Statement of Case. As such, I am satisfied that my consideration of these additional plans would not prejudice any parties.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

4. The appeal site comprises part of the southern boundary of the Whitehills Business Park, where it adjoins Whitehill Road. The business park contains a number of car dealerships, extending up to Lytham St Annes Way and Preston New Road. While the majority of these businesses have vehicular access off Lytham St Annes Way, a small number have access off Whitehill Road, to the east of the appeal site. One of these is Lloyds BMW, which has limited planting to its frontage and so is clearly visible from Whitehill Road. A further, wide access

serves Arnold Clark and provides open views of the expansive parking areas and buildings in the business park. While planting extends to the front of a fence beyond this access area, it provides limited screening.

5. Further west, hedging bounds Whitehill Road to much of its northern side, including at the appeal site. This hedging is well established, affording a good level of screening when in leaf, albeit it does not fully obscure the business park. This hedging is also interrupted to varying degrees further west, where it adjoins housing. As such, when travelling along Whitehall Road, passersby have an awareness of the mixed character of existing development to the northern side of the road.
6. Whitehill Road is also bound by hedging for much of its length on its southern side. Undeveloped land to the south is visible at certain points. While some other uses are present at its eastern and western extents, including housing, stables, and a caravan site, the area to the south of Whitehill Road is distinctly more rural in character.
7. The proposal seeks to create a new access for transporter vehicles to serve a bodyshop building located within the business park, currently accessed via Lytham St Annes Way and Disley Close. The access itself would require the removal of approximately 20m of hedgerow. A Local Highway Authority (LHA) requirement for 2.4m x 112m visibility splays to either side of the proposed access is not disputed by the main parties. The necessary visibility splay would require the lowering in height of planting either side of the access to a maximum 1m in height. The length of hedge requiring this reduction is disputed by the main parties.
8. Drawing no 23030 P101 shows the red line of the proposal extending for approximately 224m and drawing no 23030 P102 states that the hedge would be maintained at a 1m maximum height to the visibility splay. However, as set out above, I have also been provided with drawing nos 240101/01 and 240101/02. They show visibility splays of 2.4m x 112m, overlaying topographical data, including the alignment of the hedge.
9. Drawing 240101/02 demonstrates the extent to which the hedgerow would actually interfere with the visibility splays and so require lowering, approximately 25m to the west and approximately 30m to the east. While the Council suggests that these revised plans would be in conflict with the visibility splay condition sought by the LHA, it is not explained why this is the case, and I have not been provided with any convincing evidence demonstrating that the appellant's information in relation to the hedgerow is incorrect.
10. This combination of hedgerow removal and its reduction in height, would result in some increase in the visibility of commercial buildings and associated parking areas along this section of Whitehill Road, including a number of large buildings which are positioned close to the southern boundary.
11. However, the extent of hedgerow removal appears to have been minimised to that necessary to provide the access and required visibility. Whitehill Road has no footpaths or streetlights, and the national speed limit applies. There does not appear to be any pedestrian link from the road to the housing estate to the west, and those houses on Whitehill Road itself are some distance away. As such, it is not a route likely to attract pedestrians.

12. For motorists, these increased views into the business park would be oblique and fleeting, while retained planting to either side of the proposed access would soften these views. Any such views would not be inconsistent with those afforded further east, at the entrance to Lloyds BMW and Arnold Clark, and so the proposal would not have a materially harmful impact on the appearance of the area, including cumulatively. Passers-by already have an awareness of the mixed commercial and housing development to the north of the road, so the proposal would not introduce a notable change.
13. The proposed development would lie within the existing business park and so it would not impact on the mature hedgerow running to the south of Whitehill Road, or intrude into the fields beyond. This established hedgerow would continue to visually dominate the southern side of the road, providing a visual and physical buffer between these urban and rural areas. The distinction between the mixed character to the north and the more rural countryside character to the south would be maintained. As such, the proposal would not materially harm the character of the area.
14. To conclude on this main issue, the proposed development would not have a materially harmful impact upon the character and appearance of the area. Therefore, I find no conflict with policies GD7 and ENV1 of the Fylde Local Plan to 2032 (incorporating Partial Review), December 2011, which collectively, and amongst other matters, require that new development takes account of the character and appearance of the local area and landscape context, including landscaping, in order to avoid demonstrable harm to the visual amenities of the local area.

Other Matters

15. The application was accompanied by information relating to Biodiversity Net Gain and the appellant has ticked yes to a question on the application form relating to the applicability of the general Biodiversity Gain Condition, as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended), if permission is granted. However, the proposal appears to be minor development, and the available information indicates that the application was made before 2 April 2024. Therefore, the biodiversity net gain planning condition does not apply, and I have not considered this information further.
16. While I have been provided with some commentary relating to the need for the new access, the proposal would be acceptable in relation to the main issue, and I have not been directed to any policy requirement to demonstrate a need for the proposal at this location.
17. While concerns relating to the width of Whitehill Road for use by HGV's and the loss of parking within the business park have been raised, neither issue has formed a refusal reason by the Council and no concerns have been raised in this respect by the LHA. From the available evidence, I have no reason to disagree with the LHA.

Conditions

18. I have considered the conditions put forward by the Council and interested parties with reference to the National Planning Policy Framework and the Planning Practice Guidance. The appellant has had the opportunity to comment.

19. In addition to the statutory time limit, I have imposed a condition specifying the approved plans as this provides certainty. I have also included a condition to secure the agreed visibility splays in the interests of highway safety.
20. The Council's Ecologist has suggested a condition to ensure that the timing of any works considers the presence of breeding birds. This has not been disputed by the appellant, and from the available information, I have no reason to disagree, and so I have imposed this condition also.
21. I have not included a condition to secure details of works within the adopted highway as such works would be controlled by other legislation.

Conclusion

22. For the reasons set out above, having had regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be allowed.

S Brook

INSPECTOR

Schedule of Conditions

- 1) The development must be begun not later than the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 23030 P101, 23030 P102, 240101/01 and 240101/02.
- 3) No development shall commence until visibility splays measuring 2.4 metres x 112 metres in both directions have been provided. The 2.4m distance shall be measured along the centre line of the proposed new road from the continuation of the nearside edge of the existing carriageway of Whitehill Road. The 112m distance shall be measured to the nearside edge of a typical vehicle path on Whitehill Road, which, for the purpose of this condition, is 1m in from the edge of carriageway. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures over 1m in height.
- 4) No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests, has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests, then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.