



Appeal Decision

Site visit made on 18 February 2025

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 July 2025

Appeal Ref: APP/J2373/W/24/3352720

Land north of School Road, Marton Moss, Blackpool, Lancashire FY4 5EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Ms Sara Louise Shaw against the decision of Blackpool Council.
 - The application Ref is 24/0130 .
 - The development proposed is Stage 1 Permission in Principle Application for the erection of up to 6no. dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. The plans submitted with the application include an illustrative proposed site plan showing six dwellings and access. I have considered this as indicative only.
5. Prior to the determination of this appeal, a new version of the National Planning Policy Framework (the Framework) has been published. The main parties have had the opportunity to comment on it and I have taken their responses into account in my determination of the appeal.

Main Issue

6. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development with regard to its effect on the Marton Moss Conservation Area.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

7. The appeal site is accessed from School Lane and is a roughly rectangular area of land approximately 85 metres wide with a hedgerow fronting the highway. It lies between a row of terraced houses known as Midgeland Terrace and a detached dwelling.
8. Policy CS26 of the Blackpool Local Plan Core Strategy (2016) (BLP) refers to the character of the Marton Moss area being integral to the local distinctiveness of the area and valued by the local community. The Marton Moss Neighbourhood Plan (2023) (NP) identifies housing site allocations to support this policy. The appeal site is not identified as a housing site in the NP. In addition, Policy MM5 of the NP sets out when windfall housing would be supported on land not identified for housing. This includes either a small gap in an otherwise built-up frontage or land currently or recently occupied by buildings and that it would not significantly reduce the open character of the immediate locality.
9. Marton Moss is characterised by sporadic development and due in part to its historic previous horticultural use, it has been designated as the Marton Moss Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the Marton Moss CA. Its significance derives in part from previous horticultural use and rural character with sporadic piecemeal development resulting in characteristic open spaces. Field boundaries consisting of high hedges also make an important contribution to the character of the area.
10. Whilst there is a mixed character with denser development in other parts of the CA, the openness of the appeal site makes a positive contribution to the character and appearance of the area, even having regard to that it is not readily visible from the highway due to mature evergreen hedgerows. Introducing a built form of up to six dwellings on the site would erode this character and significantly alter the appearance of the site and the contribution that it makes to the CA as a whole.
11. I accept that there is no definition of a small gap in the NP. However, in this case, due to the width of the gap and sporadic development along this part of School Road, I do not consider the appeal site to form a small gap in an otherwise built-up frontage. It forms a distinctive break in the sporadic development in the area which would be harmed by the introduction of further development.
12. Given that the proposal relates to only one part of the CA, the harm arising from the proposal, in terms of the approach in the Framework, would be less than substantial. In these circumstances the Framework advises at paragraph 215 that this harm should be weighed against the public benefits of the proposal.
13. The proposal would provide additional living accommodation that is broadly supported by the development plan and which would contribute to boosting the supply of housing locally and nationally. It would also provide new energy efficient self-contained residential accommodation and would contribute to the mix and supply of homes in the area and support the local construction industry. The occupiers of the dwellings would support the local economy through employment and enjoyment. These matters would attract moderate weight in favour of the scheme. However, these would not equate to public benefits, sufficient to outweigh the harm that I have identified, given that this harm carries great weight.

Accordingly, the proposal conflicts with the aims of the Framework in terms of conserving and enhancing the historic environment.

14. I acknowledge that the appeal is for a Permission in Principle and that there would be the opportunity to resolve detailed matters at the technical details consent stage. However, I am not convinced that this would adequately avoid or minimise the identified harm to the CA through the loss of open space by the introduction of dwellings in this location.
15. I conclude that given the location of the appeal site the proposal would neither preserve or enhance the character or appearance of the CA, in conflict with the requirements of S72 of the 1990 Act. There would also be conflict with the objectives of Policy CS8 of the BLP and Policy DM27 of the Blackpool Local Plan Site Allocations and Development Management Policies (2023) which together, and amongst other matters, require development to conserve or enhance those elements that make a positive contribution to the special character and appearance of the CA. There would also be conflict with the conservation and enhancement of the historic environment objectives of the Framework.
16. It would also conflict with Policy CS26 of the BLP and Policies MM1, MM2 and MM5 of the NP which together, and amongst other matters, seek to ensure that development in Marton Moss supports the retention and enhancement of its distinctive character.

Planning Balance and Conclusion

17. The appeal scheme would not accord with the development plan in regard to the preservation or enhancement of the character or appearance of the CA. I would ascribe this matter great weight given its nature and scope.
18. I have already identified the benefits of the appeal scheme through the assessment of public benefits in undertaking the necessary balancing exercise in relation to the CA. With these in mind, it is clear that there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. The appeal should therefore be dismissed.

H Senior

INSPECTOR