

TITLE: PLANNING APPEAL RESULT
Application 2004/181 – 7 KIRKHILL AVENUE,
HASLINGDEN, ROSSENDALE , BB4 6UB

TO/ON: DEVELOPMENT CONTROL COMMITTEE
02 August 2005.

BY: Bryan Beardsworth

STATUS: For Publication.

1. PURPOSE OF THE REPORT
To inform Committee members of the result of the appeal.
2. RECOMMENDATION
That the report be noted.
3. CORPORATE AIMS
Quality service, better housing , the environment, regeneration and economic development, confident communities.
4. RISK
n/a
5. SERVICE DELIVERY/PERFORMANCE MANAGEMENT ISSUES
The councils decision has been upheld.
6. IMPLICATIONS ARISING FROM THE REPORT

LA21/Environment	*	IT	
Human Rights Act 1998	*	Land and Property	*
Equalities Issues		Personnel	
Community Safety		Legal	
Financial		Partnership Working	

LA21/Environment implications are considered to be the effect of the proposals on the local environment.

Human Rights Act 1998 implications are considered to be Article 8 which relate to the right to respect for private and family life, home and correspondence. Additionally, Article 1 of Protocol 1 relates to the right of peaceful enjoyment of possessions and protection of property.

The relevant **Land and Property** implications were considered in the Officer's Report.

7. WARDS AFFECTED
Worsley

8. CONSULTATIONS
The appeal was advertised by individual letters to all parties who made representations upon the planning application

9. REPORT

2004/181 – This planning application was received on 18 March 2004 and related to the Extension of Garage to Rear to Form Games Room.

The application was refused on the 14 June 2004 for the following reasons:-

- (i) The proposed extension would by virtue of its size, scale, projection and position (i) have an unreasonably overbearing and dominating impact and (ii) materially reduce levels of sunlight to the garden of neighbouring property (ie No. 9 Kirkhill Avenue) to the detriment of residential amenity. For these reasons the proposal does not accord with Policy DC.1 of the Rossendale District Local Plan which states that development proposals should "not be detrimental to existing conditions in the surrounding area".

This resulted in an appeal being lodged and dealt with under the written representations method. The Inspectorate wrote informing the Council of its decision on 16th June 2005, that the appeal was **dismissed**.

For further information on the details of this report, please contact: Mr B Beardsworth extension 167.