

**TITLE:** PLANNING APPEAL RESULT  
Application 2004/319 – 10 POWYS CLOSE,  
HASLINGDEN, ROSSENDALE

**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  
Helmshore

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

9. REPORT

2004/319 This planning application was received on 12 May 2004 and related to the Erection of First Floor to form Two Storey Dwelling.

The application was refused on the 23 July 2004 for the following reason(s):-

- (i) The proposed first floor extension of the present single storey dwelling would by reason of its height, mass, spatial relationship and close proximity to the principal rear elevation and habitable rooms of the single storey dwelling No 6 Powys Close result in an unacceptable loss of outlook and amenity to the occupiers of that property contrary to the provisions of Policy DC.1 Development Criteria of the Rossendale District Local Plan.

This resulted in an appeal being lodged and dealt with under the written representations method. The Inspectorate wrote informing the Council the appeal was Dismissed on 06<sup>th</sup> April 2005.

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