



**TITLE:**            **PLANNING APPEAL RESULT**  
**Application 2004/598 – 459 HELMSHORE ROAD,**  
**HELMSHORE, 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

2004/598 This planning application was received on 09 August 2004 and related to the Erection of a Two Storey Side Extension.

The application was refused on the 21 October 2004 for the following reason(s):-

- (i) The proposed extension would have (i) an unduly adverse impact upon the balance and symmetry of this pair of semi-detached houses and general rhythm of open spaces between properties along this road and (ii) an overbearing and enclosing impact upon No. 457 Helmshore Road to the detriment of residential amenity. For these reasons the proposed development does not accord with Policy DC.1 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 The Inspectorate wrote informing the Council the appeal was Withdrawn on 18<sup>th</sup> April 2005.

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