

**TITLE:** PLANNING APPEAL RESULT  
Application 2004/799 – LAND ADJACENT TO 136  
MARKET STREET EDENFIELD

**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  
Edenfield

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

9. REPORT

2004/799 – This planning application was received on 04 November 2004 and related to the (Outline) Erection of One Detached Dwelling

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

- (i) The proposed development is not required to meet the housing provision, and therefore does not comply with Policy 43 of the Lancashire Structure Plan 1991 -2006 and Policy 12 of the Replacement Joint Lancashire Structure Plan (Pre-Adoption Composite Edition).
- (ii) The proposed development would result in the provision of a dwelling and has not identified a local need. The application therefore does not comply with Policies 1 and 5 of the Lancashire Structure Plan Pre Adoption Composite Edition.

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 The Inspectorate wrote informing the Council the appeal was **Withdrawn** on 10<sup>th</sup> May 2005.

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