



**TITLE:**            **PLANNING APPEAL RESULTS**  
**Application 2004/897– 1034 Burnley Road East,**  
**Lumb, Rossendale BB4 9PL**

**TO/ON:**           **DEVELOPMENT CONTROL COMMITTEE**  
**21 June 2005**

**BY:**                **Brian Sheasby**

**STATUS:**         **For Publication.**

1.    **PURPOSE OF THE REPORT**  
       To inform Committee members of the result of the appeals.
  
2.    **RECOMMENDATIONS**  
       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 Council’s decision has been overruled.
  
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. Representations received were under consideration whilst the application was being assessed.

**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  
Whitewell
8. CONSULTATIONS  
County Planning Officer and RBC Highways
9. REPORT

2004/897– This planning application was received on 22 December 2004 and related to an application for Change of use from unused storeroom to first floor flat.

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 Structure Plan (Pre-Adoption Composite Edition).

The lack of off-road parking could lead to on-street parking congestion and vehicles being parked on the highway to the detriment of highway safety, thereby failing to accord with Policy DC 1 (Development Criteria) and Policy T4 (Car Parking) 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 of its decision on 02 June 2005. The appeal was allowed.

Background Documents:

Application and appeal documents.

For further information on the details of this report, please contact: Ms Helen Longworth extension 122.