



TITLE: PLANNING APPEAL RESULTS
Application 2004/840– 10 Baytree Walk,
Whitworth, Nr Rochdale OL12 8AJ

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
Healey/Whitworth

8. CONSULTATIONS
Rossendale Highways, Whitworth Town Council 29 Milner Street,
4, 5, 6, 7, 8 & 9 Baytree Walk, Whitworth 469, 471, 473, 479, 481 & 483
Market Street, Whitworth

9. REPORT

The proposed garage could not be accommodated in this location as a distance metres is required from carriageway kerb line to garage. Therefore the proposed garage would be detrimental to the existing conditions in the locality and therefore does not comply with Policy DC 1 of the Rossendale District Local Plan.

The proposed conservatory, due to the small curtilage at the rear of the property, would result in a visual intrusion and loss of privacy. The proposed development would therefore be detrimental to the amenity of the neighbouring dwelling and 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 of its decision on the 02 June 2005. The appeal was allowed in part and dismissed in part as set out in the Appeal Notice.

Background documents:

Application and appeal documents.

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