



TITLE: **PLANNING APPEAL RESULT**
Application 2004/282 – LAND OFF HOLLAND AVENUE, RAWTENSTALL, ROSSENDALE

TO/ON: **DEVELOPMENT CONTROL COMMITTEE**
17 March 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
Cribden

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

9. REPORT

2004/282 – This planning application was received on 27 April 2004 and related to an Outline Application for the Erection of Two Dwellings.

The application was refused on the 21 June 2004 for the following reasons:-

- (i) Development of this greenfield site for residential purposes would be contrary to PPG3 and policies 1f and 12 of the proposed changes Joint Lancashire Structure Plan. These policies seek to ensure that land is used efficiently by way of encouraging the conversion of existing buildings and the use of previously developed land (brownfield sites) before the use of greenfield sites.
- (ii) There are sufficient accessible brownfield sites and extant planning permissions within the Borough to meet the total and annual housing targets as specified in both policy 43 of the adopted Lancashire Structure Plan and policy 12 of the proposed changes Joint Lancashire Structure 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 9th February 2005, that the appeal was **dismissed**.

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