



TITLE: PLANNING APPEAL RESULT
Application 2004/187 – LAND AT BLEAKHOLT ROAD, TOP O’TH’ LEA, TURN VILLAGE, ROSSENDALE

TO/ON: DEVELOPMENT CONTROL COMMITTEE
28 April 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

2004/187 – This planning application was received on 23 March 2004 and related to the Erection of a Agricultural Building for Storage and Livestock purposes.

The application was refused on the 3 June 2004 for the following reasons:-

- (i) The proposed development by virtue of its size (and when judged in the context of existing incremental development in the immediate locality) would seriously prejudice the openness, visual amenities and purposes of the green belt thereby failing to accord with Policy DC1 of the Rossendale District Local Plan, Policy 4 of the Lancashire Structure Plan and Government guidance in the form of PPG 2.
- (ii) The proposed development by virtue of its design, size and materials would represent an unacceptable form of development appearing materially out of place in the locality and having a detrimental impact upon visual amenity failing to accord with Policies DC1 and DC4 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 11th February 2005, that the appeal was **dismissed**.

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