



**TITLE: PLANNING APPEAL RESULTS**  
**Application 2003/530 – Land off Greensnook Lane, Bacup**

**TO/ON: DEVELOPMENT CONTROL COMMITTEE**  
**28 April 2005.**

**BY: Diane Dungworth**

**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 councils 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  
Greensclough

8. CONSULTATIONS  
British Coal, County Planning Officer, RBC Highways Dept., RBC Local Plans and United Utilities

9. REPORT

2003/530– This planning application was received on 13 August 2003 and related to an application for a residential development of 34 no. units. The application was refused on the 04 December 2003 for the following reasons:-

There are sufficient residential planning permissions to meet the Boroughs Council's housing requirement to 2006 including a further potential supply to last until 2020. The development proposal is not required to meet the housing provision set by the adopted Lancashire Structure Plan (Policy 43), the Draft Joint Lancashire Structure Plan (Policy 12) and the Proposed Changes Draft Lancashire Structure Plan (Policy 12). The applicant has raised no special reason or circumstances for overriding the policy objection to this proposal.

The proposed development (22 dwellings to the hectare) would not make efficient use of land and to this extent does not accord with Government Guidance in PPG 3 (Housing).

This resulted in an appeal being lodged and dealt by Public Inquiry. The Inspectorate wrote informing the Council of its **withdrawal** on 08 March 2005. Background documents:

Application and appeal documents.

For further information on the details of this report, please contact: Mr I Lunn extension 133.