

TITLE: PLANNING APPEAL RESULT
Application 2004/722 – 97 Deardengate,
Haslingden, BB4 5SN.

TO/ON: DEVELOPMENT CONTROL COMMITTEE
06 September 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 **not** 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
Worsley

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

9. REPORT

2004/722 – This planning application was received on 11 October 2004 and related to an application for the Change of Use of a Flat to a Taxi Booking Office at 97 Deardengate, Haslingden.

The application was refused on the 15 February 2005 for the following reason:-

- (i) The use of the premises as a taxi booking office together with the lack of on street parking for taxi owners vehicles would lead to an exacerbation of the existing conditions in the immediate locality to the detriment of highway safety. The proposal is therefore contrary to Policy DC1 of the Rossendale District Local Plan.
- (ii) The use of the premises as a taxi booking office and also operating over a 24 hour period would lead to an increased level of noise and disturbance to occupiers of neighbouring property to the detriment of residential amenity. The proposal is therefore contrary to Policy DC1 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 that the appeal was **allowed**.

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