

<b>Subject:</b>		Planning Appeals Update	<b>Status:</b>		For Publication
<b>Report to:</b>		Development Control	<b>Date:</b>		28 <sup>th</sup> August 2018
<b>Report of:</b>		Planning Manager	<b>Portfolio Holder:</b>		Regulatory Services
<b>Key Decision:</b>	N/A	Forward Plan N/A	General Exception N/A	Special Urgency N/A	
<b>Equality Impact Assessment:</b>	Required:	No	Attached:		No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached:		No
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## 2. PURPOSE OF REPORT

2.1 To inform Committee Members about the scale of Appeal activity, and the Appeal decisions received from the Planning Inspectorate, since May 2018.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale:** our priority is to keep Rossendale clean and green for all of Rossendale's residents and visitors, and to take available opportunities to recycle and use energy from renewable sources more efficiently.
  - **A connected and successful Rossendale that welcomes sustainable growth:** our priority is to ensure that we are well connected to our residents, key partners and stakeholders. We want to make the most of every pound we spend and we are always looking for new and innovative ways to make the resources we do have, work harder for us.
  - **A proud, healthy and vibrant Rossendale:** our priority is to ensure that we are creating and maintaining a healthy and vibrant place for people to live and visit.

## 4. RISK ASSESSMENT IMPLICATIONS

4.1 There are no specific risk issues for members to consider arising from this report.

## 5. BACKGROUND

### 5.1 Appeals in Progress

At the time of writing 9 planning appeals are lodged and awaiting decisions from the Planning Inspectorate: These are:

	Application Reference	Site Address	Proposal	Level of Decision
1.	2017/0253	Land Off Hareholme Lane Cloughfold	Full: Erection of 1no. three-bedroom dwelling with associated parking and gardens, and creation of an access off Hareholme Lane	Delegated Powers
2.	17/0352	Sun Dragon Restaurant Blackburn Road Haslingden	Demolition of existing restaurant building, and construction of 5 no. dwellings (comprising 4 no. semi-	Delegated Powers

			detached four-bedroom dwellings and 1 no. detached three-bedroom bungalow) with associated access and landscaping works.	
3.	17/0510	15 Victoria Court Haslingden Rossendale	Householder: Erection of a detached garage, creation of new gated vehicular access from Victoria Drive with associated landscape works including works to trees with a Tree Preservation Order.	Delegated Powers
4.	17/0630	Land North Of Park View Cottages Cowpe Road Cowpe	Prior Approval for Change of use of Agricultural Building to Dwelling House	Delegated Powers
5.	18/0023	14 Edward Street Facit Rochdale	Provision of first-floor living accommodation, entailing raising of roof (Amended Description)	Delegated Powers
6.	18/0072	Land At Highfield Park Haslingden Rossendale	Outline application with all matters reserved for the construction of 3 no. dwellings.	Delegated Powers
7.	18/0197	Site At Former Graver Weir Mill, Adjacent To 1242 Burnley Road East Waterfoot	Outline application (including access only) for demolition of storage unit and erection of 8 No. dwellings.	Delegated Powers
8.	18/0269	The Barn Top O Th Lea Bury Old Road	Prior Approval for change of use of agricultural building to 4no dwellinghouses and associated building works	Delegated Powers
9.	18/0323 & 18/0324 LB	Lumb Old Hall Meadow Park Ramsbottom	Householder: Single storey rear extension (including demolition of a chimney) & Listed Building Consent for the same.	Delegated Powers

## 5.2 Appeals dismissed since the report taken to 23<sup>rd</sup> May 2018 Development Control Committee

Since the time of last writing, 5 Planning Appeals & 2 Enforcement Appeals have been dismissed by the Planning Inspectorate, listed below.

	<b>Application Reference</b>	<b>Site Address</b>	<b>Proposal</b>	<b>Level of Decision</b>
1.	2017/0040/TPO	680 Burnley Road, Rawtenstall.	Tree Preservation Order (T2/E/G15): T1 Whitebeam - Fell to ground level due to precarious position on embankment over the main road.	Delegated Powers
2.	17/0507	489 Newchurch Road, Stacksteads	Change of use of an agricultural building from agricultural use to domestic use including the surrounding land shown in the red edge of the application, all in association with 489 Newchurch Road	Delegated Powers

3.	17/0514	Land at Waingate Mews, Waingate Road, Rawtenstall	Construction of access road and associated retaining wall to serve residential development approved under 2016/0630 (part retrospective)	Committee
4.	17/0600	Garage Site Rear Of 175 Burnley Road Rawtenstall Rossendale	Conversion of garage to form 1 no. three-bedroom dwelling, including external alterations and construction of dormers	Delegated Powers
5.	2018/0090	5 Lower Stone Fold, Kings Highway, Haslingden	Erection of detached domestic double garage	Delegated Powers
	Enforcement			
1	129/2015/COU	Land known as Leadbrook Nurseries, Laund Mill. Burnley Road, Rawtenstall	The material change of use of the Land from open amenity space to a vehicle parking area and for the storage of materials and equipment area associated with Leadbrook Nursery, facilitated by operational engineering operations to form an area of hardstanding and the associated access track to it.	Delegated Powers
2	011/2015/BCN	489 Newchurch Road, Stacksteads, Rossendale, OL13 0NH	Operational development comprising the construction of a domestic outbuilding, the material change of use of the land from agriculture to an extension of the residential curtilage of No. 489 Newchurch Road and the material change of use of an agricultural building to form a domestic outbuilding facilitated by external alterations to it.	Delegated Powers

### 5.3 Appeals allowed since the report taken to 23<sup>rd</sup> May 2018 Development Control Committee

Since the time of last writing, 1 planning application appeal has been the subject of a split decision by the Planning Inspectorate, this means elements of the appeal proposal have been part allowed & part refused. This is:

	<b>Application Reference</b>	<b>Site Address</b>	<b>Proposal</b>	<b>Level of Decision</b>
1.	2017/0524	10 Turn Hill Farm, Dean Lane, Waterfoot,	Construction of parking area, change of use of part of stable block to domestic workshop (including construction of an extension to the workshop) and erection of a canopy associated with existing stables (part retrospective).	Delegated Powers

### 5.4 Keeping members informed

Most appeals as members may be aware are dealt with by the Written Representations format. However, "Informal Hearings" and "formal Inquiries" are heard in public and so councillors can attend should they wish to do so. Members interested in attending Informal

Hearings will need to advise the relevant case officer accordingly when they are informed. The case officer can then update the Councillor on the date of the hearing when it has been fixed by the Planning Inspectorate.

**COMMENTS FROM STATUTORY OFFICERS:**

**6. SECTION 151 OFFICER**

6.1 None contained within this report.

**7. MONITORING OFFICER**

7.1 Report is for information purposes only

**8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT**

8.1 None contained within this report, however, appeal decisions can inform interpretation / implementation of Planning Policies.

**9. CONCLUSION**

9.1 For members to note the update provided in the report

Background Papers

The relevant application numbers and locations are as outlined in the report and further details can be found on the Council's website or by contacting the Planning Service