

Subject:	Planning Appeals Update	Status:	For Publication	
Report to:	Development Control	Date:	17 th March 2020	
Report of:	Planning Manager	Portfolio Holder:	Regulatory Services	
Key Decision:	N/A	Forward Plan N/A	General Exception N/A	Special Urgency N/A
Equality Impact Assessment:	Required:	No	Attached:	No
Biodiversity Impact Assessment	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 April 2019.

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 13 planning appeals are lodged and awaiting decisions from the Planning Inspectorate: These are:

	Application Reference	Site Address	Proposal	Level of Decision
1.	2019/0269	9 Schofield Road Rawtenstall Rossendale	Householder: Erection of a rear single storey extension	Delegated Powers
2.	2019/0349	Barn 3 Gincroft Lane Edenfield	Change of use of agricultural building to form one dwelling, with associated operational alterations	Delegated Powers

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3.	2019/0350	Barn 2 Gincroft Lane Edenfield	Change of use of agricultural building to form one dwelling, with associated operational alterations	Delegated Powers
4.	2019/0352	The Cabin Higher Hollin Lumb Lane	Application for a certificate of lawfulness with regard to the lawful use of a building for residential purposes in excess of ten years	Delegated Powers
5.	2019/0430	Land Off Goodshaw Lane Crawshawbooth	Permission in Principle: Application for up to 4 no. self-build dwellings	Delegated Powers
6.	2019/0478	Piercy Works Piercy Road Edgeside	Permission in Principle: For the construction of up to 9 no Houses	Delegated Powers
7.	2019/0488	6 Oakeneaves Avenue Reedsholme	Householder: Single storey side extension to detached dwelling.	Delegated Powers
8.	2019/0522	Windyridge Helmshore Road Helmshore	Permission in principle for up to 1 dwelling	Delegated Powers
9.	2019/0537	Land Opposite 257 Edgeside Lane Edgeside	Permission in Principle for the construction of up to 3 dwellings.	Delegated Powers
10.	2019/0551	3 Greenfold Cottages Goodshaw Lane Crawshawbooth	Conversion of outbuilding to a dwelling including construction of an extension, with associated works.	Delegated Powers
11.	2019/0552	20 Dobbin Close Cloughfold Rossendale	Householder: proposed two storey side extension and single storey rear extension	Delegated Powers
12	2019/0572	Land Adjacent Craven Heifer 264-266 Burnley Road Rawtenstall	Variation of Conditions 1 (approved drawings) and 3 (Number of vehicles displayed for sale at any time increased from 6 to 9) pursuant to Planning Permission 2019/0128 (Retrospective change of use from agricultural land to car sales, including sales cabin)	Delegated Powers
13	2020/001	Land Adjacent To 191 Edgeside Lane Edgeside	Permission in Principle for the erection of up to 2 no. dwellings.	Delegated Powers

5.2 Appeals dismissed since the report taken to March 2019 Development Control Committee

Since the time of last writing, 8 Planning Appeals have been dismissed by the Planning Inspectorate, listed below.

	Application	Site Address	Proposal	Level of Decision
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	Reference			
1.	2017/0597	Boars Head, 69 Church Street, Newchurch	Erection of 6 new build 3 bed houses on site of former pub bowling green	Delegated Powers
2.	2019/0113	North Farm, Hargreaves Fold Lane, Lumb	Proposed road.	Delegated Powers
3.	2018/0404	Land on the corner of Pendle Avenue and Coniston Way, Bacup	Erection of 4 No 2-bedroomed semi-detached houses and removal of existing trees	Delegated Powers
4.	2019/0223	1 Rosewood Avenue, Haslingden	2 storey extension to the rear, and a 2 storey side extension, with a new porch to the front of the house.	Delegated Powers
5.	2019/0337	Lee Farm Stubblelee Lane Bacup	Outline: Erection of 1 no Bungalow	Delegated Powers
6.	2019/0293	34 Bank Street Rawtenstall	change of use from A1 retail to sui generis taxi office	Delegated Powers
7.	2019/0245	Farm Hill Farm, Edgeside Lane, Rawtenstall	Conversion of agricultural building to a three-bedroom dwelling, with associated works	Delegated Powers
8.	2019/0332	16A Manchester Road, Haslingden	The erection of a rear dormer and insertion of two front facing roof lights (retrospective)	Delegated Powers

5.3 Appeals allowed since the report taken to March 20198 Development Control Committee

Since the time of last writing, 7 planning appeals have been allowed by the Planning Inspectorate. This is:

	Application Reference	Site Address	Proposal	Level of Decision
1.	2017/0593	Asda Stores Ltd, Holly Mount Way, Rawtenstall, Rossendale	Erection of a four-pump petrol filling station, drive-to-pay kiosk and associated works	Delegated Powers
2.	2018/0512	Land off Belgrave Street, Rising Bridge	Variation of Condition 2 of Planning Permission 2012/0555 (to vary the facing materials of a stable block)	Delegated Powers
3.	2019/0067	121 Goodshaw Lane, Crawshawbooth	Residential development of a detached dwelling.	Delegated Powers
4.	2019/0208	628 Blackburn Road, Haslingden	Delete Condition 3 of application for Advertisement Consent Ref 2019/0208 - Replacement of an existing 48-sheet advertisement	Delegated Powers

			display with an illuminated 48-sheet digital advertisement display	
5.	2019/0141	Orient One, New Hall Hey Road, Rawtenstall	Change of use from retail (Use Class A1) to restaurant / banqueting hall / wedding venue / events venue (Sui Generis), change of use of land to form car park extension and installation of new windows and door screens.	Committee
6.	2019/0268	Caravan Cobclough Farm Oakenclough Road	Full: Demolition of existing dwelling and replacement with one two-bedroom single storey dwelling	Delegated Powers
7.	2018/0420	Stone Acre Farm Rochdale Road Edenfield	Lawful Development Certificate: Erection of a conservatory	Delegated Powers

5.4 Since the last time of writing, the following decisions have been received with regard to Enforcement appeals.

	Site Address	Breach of Planning Control	Decision
1.	Woodland View Stables, Back Lane, Rising Bridge	Without the benefit of planning permission, the change of use of the Land from agricultural use, to a mixed use for part agricultural and part use for the siting of a static caravan for residential use including creation of domestic garden curtilage and fencing.	The appeal is dismissed and the enforcement notice is upheld with corrections and variations.
2.	Land at Top O' Th Bank Cottage, Tunstead, Bacup	Change of use of the Land from agriculture to use as a livery business and storage purposes; including the erection of two rows of timber stables in connection with the livery business, a hard surfaced access track and storage of three container units.	The ground (a) appeal succeeds in part and permission for that part is granted, but otherwise the ground (a) appeal fails and the enforcement notice, as corrected, is upheld.

5.5 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.

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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

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