

CPO's PLANNING APPEALS REPORT

11/18/0177

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3.6 The decision made by the Planning Inspectorate will either “Dismiss” the appeal or “allow” the appeal. If the appeal is “allowed” it is likely that the Inspector will allow the appeal subject to planning conditions.

i. **Land at Back Owen Street, Accrington 19th December 2018 Dismissed**

Refusal of planning permission for supported living units. The key issues raised by this appeal were highways and occupancy conditions. Although the planning application was refused on highway grounds, the Inspector concluded that having considered all matters raised, subject to the imposition of the Grampian condition (to secure the highway improvements), the proposal would have an acceptable effect on the safety of drivers, cyclists and pedestrians. This would be compliant with Policy Env7 of the Hyndburn Core Strategy (January 2012) and Policy DM32 of the DPD, which seek to ensure proposals do not result in unacceptable adverse loss of amenity, that the safety of highway users is properly taken into consideration and that any new development would not have an adverse impact on highway safety.

The Council employed a highways consultant to prepare a statement in defence of the reason for refusal.

In order to make the development acceptable in planning terms, the Inspector believed that it would be necessary to have to be a planning obligation to provide the social housing. Despite the Inspector giving the appellant an opportunity to provide an agreement and noting their intent to provide one, none was forthcoming. As a result there is no means by which to secure the social housing and the appeal was dismissed on this basis.