

UPDATE REPORT OF 20th FEBRUARY 2020
FURTHER UPDATE REPORT OF 24th FEBRUARY 2020 IN RED

FOR DEVELOPMENT CONTROL COMMITTEE MEETING OF 25th FEBRUARY 2020

Item B1 - 2019/0477 – Golf Rossendale

Since publication of the Committee Report the applicant has requested that the application not be determined at this time, pending further discussions between the applicant / agent and planning officers, with a view to amending the application to try to address the recommended reasons for refusal. Officers are agreeable to move forward on this basis.

In light of the above, the updated recommendation to Members is that the application be deferred from this DC Committee and that a time extension is sought to allow further discussions to occur.

Item B2 - 2019/0573 (Land Adjacent 1 Lumb Cottages)

Since publication of the Committee Report, a further objection has been received from a local resident. The objection raises the following points in summary (for the avoidance of doubt the full objection is available to view on the Council's website):

- The development will result in a disproportionate amount of re-building of the existing structure, above the 30% figure quoted in the Council's Conversion and Re-use of Existing Buildings in the Countryside SPD.
- Unclear from the plans how much re-building will be required, or how the new dwelling will interface with the remaining garages.
- Inappropriate development in the Green Belt.
- No very special circumstances for approving the development.
- Sub-standard design.

Having regard to the details contained in the objection, officers would respond as follows:

To clarify, four of the existing garages are proposed to be converted into a single dwelling, with two garages remaining unaffected. The plans do not propose any physical gap between the converted garages and the remaining garages – they are proposed to remain connected, with an internal skin constructed between (to provide insulation, etc.).

National Green Belt policy (set out in Paragraph 146 of the Framework) permits certain types of development within the Green Belt ('exceptions') – one of which is "*the re-use of buildings provided that the buildings are of permanent and substantial construction*" provided that such development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

The previous application for a similar development (2019/0288) was refused as it was not accompanied by a professionally prepared structural report to confirm that the building was structurally capable over conversion. However, the current application is accompanied by such a report, and officers have no substantive evidence to reasonably cast doubt on its conclusions. In addition, in an appeal decision on an earlier application (2018/0400), the Inspector commented in relation to the garages that *“there is no evidence before me to indicate that it would not be possible to repair or improve the existing garages on the site”*.

In relation to the amount of re-building, officers do not consider that there is a significant conflict with the requirements of the Council’s Conversion and Re-use of Existing Buildings in the Countryside SPD. Having regard to the submitted structural report and the proposed plans, there does not appear to be any substantive evidence to suggest that the conversion cannot take place without the need for demolition / rebuilding of significantly more than the notional 30% figure quoted in the SPD in relation to external wall surfaces.

It is normally very difficult to determine the precise percentage of re-building that would be required until building works actually take place, and as such officers must come to a recommendation in cases such as this based on their consideration of the submitted evidence – having regard to national and local planning policy and any other material planning considerations (such as previous appeal decisions, etc.). In this case, officers consider that the proposed development broadly complies with such policy based upon the evidence before them.

In relation to national Green Belt policy, if a proposed development complies with one of the exceptions set out in Paragraph 146 of the Framework it is not necessary for the applicant to demonstrate any *‘very special circumstances’* for allowing the development within the Green Belt. Such *‘very special circumstances’* only need to be demonstrated if a development does not comply with one of the *‘exceptions’* set out in Paragraph 146 of the Framework.

In summary, officers consider that the applicant has demonstrated compliance with one of the exceptions to Green Belt policy set out in Paragraph 146 of the Framework and as such the application does not also need to demonstrate any *‘very special circumstances’* for allowing the development.

Having regard to the above, no change is proposed to the recommendation contained within the Committee Report.

Since publication of the Update Report, further comments have been received from Mr and Mrs Hodgson (dated 20 February 2020 and 24 February 2020) in relation to the comments outlined above.

The comments received on 20 February 2020 are available in Appendix 1 to this Further Update Report, along with officers’ responses to each point (in red within the text). The comments received on 24 February 2020 are available in Appendix 2. Given the late submission of these comments, Officers have been unable to provide a response to the neighbour, however Members are able to review them in full.

Having regard to the comments raised, no change is proposed to the recommendation contained within the Committee Report.

Mike Atherton
Planning Manager
20/02/20

UPDATE REPORT DATE 24/02/20