

TITLE: CHANGE OF USE FROM RESIDENTIAL (C3) TO OFFICE USE (B1) AT 238 BURNLEY ROAD EAST, WATERFOOT

APPLICATION NO: 2006/279

TO/ON: DEVELOPMENT CONTROL COMMITTEE 25TH JULY 2006

BY: TEAM MANAGER DEVELOPMENT CONTROL

STATUS: FOR PUBLICATION

PORTFOLIO HOLDER: CABINET MEMBER FOR REGENERATION

APPLICANT: PARTNERSHIP HOMES

DETERMINATION EXPIRY DATE: 19TH JULY 2006

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

Site and Proposal

The applicant seeks approval for the change of use of a dwelling to an office at the above address. The site is located within the urban boundary.

Relevant Planning History

None.

Notification Responses

Site notices were posted and three letters have been received, which have raised the following points:

- Currently there are parking problems and the proposed development will exacerbate these problems.

- There are already parking problems due to the industrial units adjacent to the houses on Burnley Road East, taking up parking in order to facilitate deliveries.
- Will the proposed development affect the ability to park off the road, outside this property?

Consultation Responses

County Highways

No objections.

Development Plan Policies

Policy DS1
Policy DC1
Parking standards

Other Material Planning Considerations

None.

Planning Issues

The location for the proposed development is within the urban boundary and therefore, the proposal is in accordance with Policy DS1 of the Rossendale District Local Plan.

The proposed development will not have an adverse impact upon the amenity of the neighbouring residents. The proposed development will not involve any external alterations and will be open through normal office hours. It is considered that the proposed use will have no greater an impact upon the amenity of the neighbouring residents than the existing use. Therefore, the proposed development is in accordance with Policy DC1 of the Rossendale District Local Plan.

There are four off-road spaces available for use at the front of the property, which will be adequate for the three employees and the occasional visitor to the property. The highways authority have no objections to the proposal. Therefore, it is considered that the proposed development is in accordance with Policy DC1 of the Rossendale District Local Plan.

The proposed development is located within the urban boundary and will not have a significantly adverse impact upon the amenity of the neighbouring residents. The proposed development has adequate parking facilities available and is in accordance with the Council's adopted car parking standards. Therefore, the proposed development is in accordance with Policies DS1 and DC1 of the Rossendale District Local Plan.

Recommendation

That planning permission should be granted, subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act

2. The premises shall be used for offices (B1 use) and for no other purpose (including any other purpose in Classes B1 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument amending, revoking and re-enacting that Order).

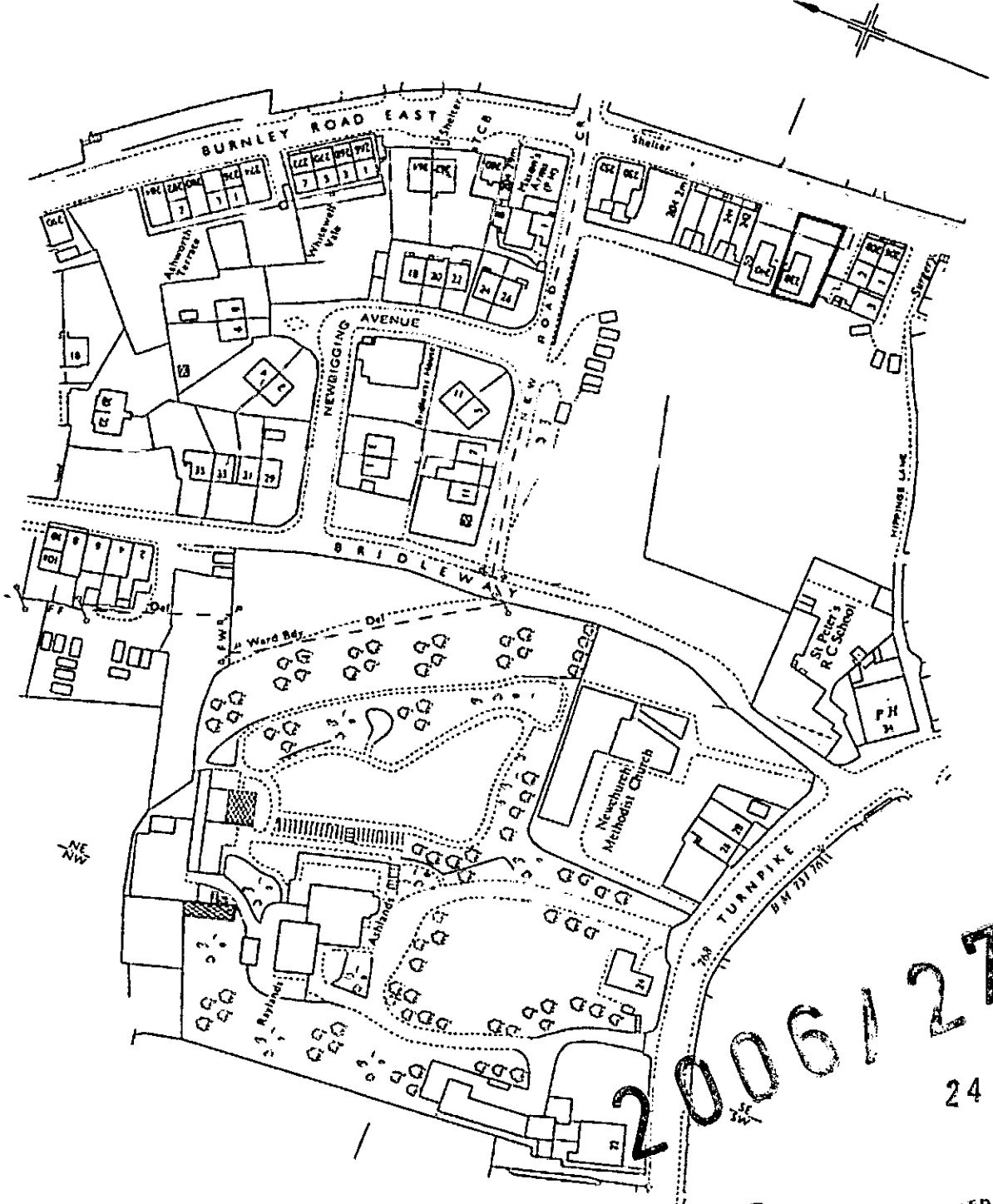
REASON: The premises are unsuitable for any other use in the Class by reason of the close proximity to dwellings.

Development Plan Policies

Policy DS1

Policy DC1

H.M. LAND REGISTRY		TITLE NUMBER	
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