

Application No: 2006/428	Application Type: Change of Use
Proposal: Change of Use of Residential Property to Dental Practice (Use Class D1)	Location: 16 Market Street, Ramsbottom
Report of: Team Manager Development Control	Ward: Edenfield
Report to: Development Control Committee	Status: For Publication
Applicant: Mr M Gormally and Miss L L Jhagroo	Date: 12 th September 2006
	Determination Expiry Date: 28 th September 2006

REASON FOR REPORTING **Tick Box**
Outside Officer Scheme of Delegation
Member Call-In
Name of Member:
Reason for Call-In:
More than 3 objections received **X**

Other (please state)

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.

APPLICATION DETAILS

1. The Proposal and the Site

The applicant seeks approval for the change of use of the existing dwelling to create a dental surgery. The proposal site is a mid terrace property in the centre of the village of Edenfield which is currently used as a dwelling. The applicant has not shown provision for car parking within the application, but has contacted the proprietors of a nearby public house with an intention to use part of their car park for its customers. The proposal site is within the Urban Boundary.

2. Relevant Planning History

None

3. Policy Context

Rossendale District Local Plan

Policy DS.1 (Urban Boundary)

Policy DC.1 (Development Criteria)

Policy DC.4 (Materials)

The Joint Lancashire Structure Plan

Policy 1 (General Policy)

Policy 4 (Development in Lancashire's Key Service Centres)

Policy 7 (Parking)

Policy 12 (Housing Provision)

Other Material Planning Considerations

None

4. CONSULTATIONS

RBC Environmental Health

No Observations.

LCC highways

No Comments.

5. REPRESENTATIONS

Site notices were posted to which there were 12 letters of objection received.

The following issues were raised:

- Lack of adequate parking provision
- Highway Safety
- Change of the aspect of the row from residential to commercial
- Increased pedestrian traffic on the footway outside residential properties thereby causing a loss of privacy.
- Increase in noise levels
- Increase in crime levels in the village
- Impact upon existing businesses in the area

One letter of support and two letters commenting on the application were received.

6. REPORT

The major issues associated with the change of use at this location are the impact upon residential amenity and the increase in on street parking which the change of use may create. Whilst the neighbour objections are acknowledged with respect to this, the site falls centrally within the commercial area of Edenfield. There are numerous other examples of commercial uses within this area and since it is a commercial centre it is not considered that the use would be incongruous in the local area. The Highways department had no objection to the application, on the grounds that the area is already partially commercial and

that there would not be a significant increase in on- street parking above that which already takes place, due to no additional shop frontage being created.

In terms of the effects on residential amenity, the proposed use of the site should be conditioned to restrict opening hours and to provide insulation to internal walls to reduce any noise which may be created. Thus the proposal would not lead to residential amenity being significantly affected.

By way of condition it is considered that there would be no loss of residential amenity and no impact upon highway safety subject to conditional control. For these reason it is considered that the development would be in accordance with Policy DC.1 of The Rossendale District Local Plan. No external changes are proposed for the development and therefore there would be no impact upon visual amenity in accordance with Policies DC.1 and DC.4 of The Rossendale District Local Plan.

In terms of housing numbers the development would reduce the current oversupply of the borough by one unit and therefore would be in accordance with the provisions of Policy 12 of The Joint Lancashire Structure Plan.

The proposal site is within the Urban Boundary and therefore the development would be in accordance with Policy DS.1 of The Rossendale District Local Plan.

7. CONCLUSION

The proposal site is within the Urban Boundary and therefore the development would be in accordance with Policy DS.1 of The Rossendale District Local Plan. It is considered that the development would not be incongruous to the existing uses in the local area and there would be no significant impact upon neighbour amenity subject to conditional control. The proposal would not look out of place within the locality subject to conditional control and therefore would be in accordance with Policy DC.1 and DC.4 of The Rossendale District Local Plan. There are no other material considerations to outweigh this finding.

8. RECOMMENDATION

That the application is approved subject to the following conditions:

1. The development 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 Act 2004

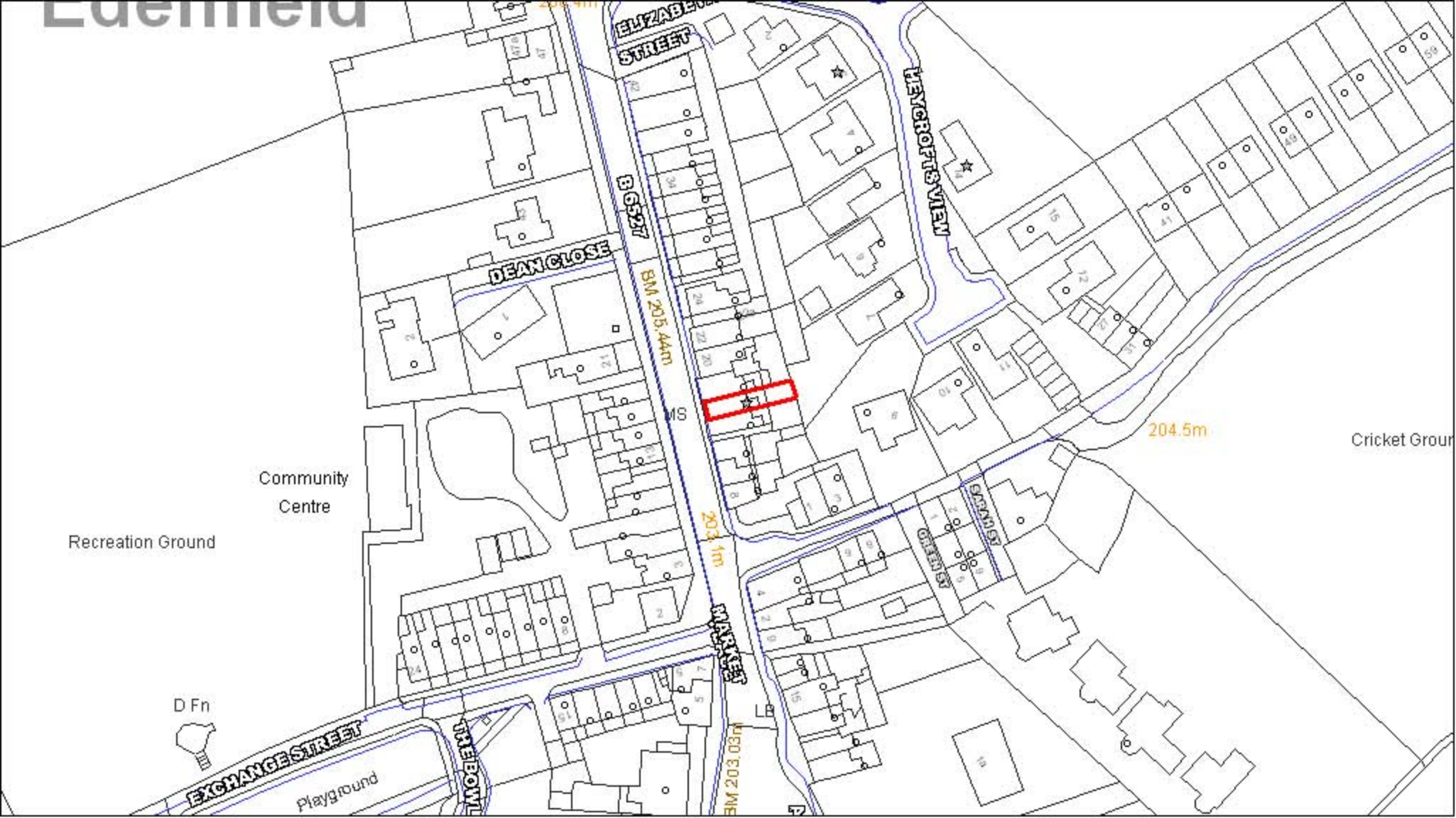
2. Within 28 days of the date of this approval, the applicant shall submit to the Local Planning Authority for their approval a scheme of staff car parking and secure cycle parking. The approved scheme shall be implemented and made available for use prior to the first occupation of the development hereby approved and shall thereafter be maintained in perpetuity.

Reason: In the interests of neighbour amenity and to promote sustainability.

3. Within 28 days of the date of this approval, the applicant shall submit to the Local Planning Authority for their approval, a scheme for the internal sound insulation and soundproofing of the development hereby approved. The approved development shall be implemented in accordance with the approved scheme and shall thereafter be maintained in perpetuity.

Reason: In the interests of neighbour amenity and to accord with Policy DC.1 of The Rossendale District Local Plan

Contact Officer	
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ELIZABETH STREET

DEAN CLOSE

WATERCROFTS VIEW

B 6327
BM 203.44m

204.5m

Cricket Ground

Community Centre

Recreation Ground

D Fn

EXCHANGE STREET
Playground

THE BOWL

WATER LANE

BM 203.03m

QUEEN ST

SPRING ST