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| Application No: 2006/587 | Application Type: Full |
| Proposal: Conversion of redundant farm buildings to 3 No. three bedroom dwellings | Location: Lower Stack Farm, New Line, Bacup |
| Report of: Team Manager Development Control | Status: For Publication |
| Report to: Development Control Committee | Date: 29 th November 2006 |
| Applicant: Mr B Greenwood | Determination Expiry Date: 22 November 2006 |
| Agent: Hartley Planning & Development Associates | |

REASON FOR REPORTING Tick Box

Outside Officer Scheme of Delegation

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| Member Call-In | X |
| Name of Member: | Councillor Farquharson: |
| Reason for Call-In: | “If officers are of a mind to refuse could you please refer the above application to Committee so that the conservation elements of the application can be considered.” |

3 or more objections received

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 planning application relates to the redundant farm buildings located at Lower Stack Farm, New Line, Bacup. The application buildings which were used in connection with the farm as a barn, shippon and the original farmhouse,

are presently attached to the existing farm building (still exists as a dwelling house). The buildings are of a two storey structure and are constructed in natural stone with stone slab roof. Access to the farm buildings is gained via Stack Lane, an unmetalled adopted highway off New Line.

The proposal involves the change of use of the redundant farm buildings to 3 no. detached dwellings. It is proposed that the existing outbuildings (dilapidated sheds etc.) would be demolished and the cleared site utilised for the provision of open space and two parking space for each proposed dwelling.

In support of the application, the applicant says:

1. The land associated with the farm was sold off over 30 years ago by the then farmer for residential use and is currently being developed by Wain Homes. The construction of the site will see housing developed on all the former farmland, leaving the applicant owning the existing farm buildings (Lower Stack Farm) and an acre of land adjoining them on the northern side.
2. With the construction of houses (Wain Homes) on virtually all the surrounding land, there is absolutely no prospect of the application buildings being used for agricultural use and if left in their unused state, will rapidly deteriorate. There is an urgent need, therefore, to seek new uses for the buildings.
3. The use of the buildings for employment purposes is not a good solution and in any case such uses are urgently needed in the town centre of Bacup to help with its regeneration. The location of offices or other employment purposes on the former farm will take such possible uses away from the more needy area of the town centre.
4. The proposed use accords with the national, regional and local policy documents.

2. Relevant Planning History

Planning application ref. 2006/539 for the conversion of redundant farm buildings to 3 No. three bedroom dwellings at Lower Stack Farm, New Line, Bacup, was withdrawn on 24th October 2006.

3. Policy Context

Rossendale District Local Plan (Adopted 1995)
DS5 – Development Outside Urban Boundary & Green Belt
Policy DC1 – Development Criteria
DC2 - Landscaping
Policy DC4 - Materials

Joint Lancashire Structure Plan

Policy 1 – General Policy
Policy 5 – Development Outside Principal Urban Areas, etc.
Policy 12 – Housing Provision

Other Material Planning Considerations

PPS 1
PPG 3
PPS 7
PPG 13

Draft RSS

RBC Housing Position Statement (August 2005)
RBC Housing Land Position Monitoring Report (May 2006)
RBC Housing Needs & Market Assessment 2004/2005
RBC Bacup, Stacksteads & Britania Emerging AAP

4. CONSULTATIONS

LCC(Highways)

No comments received to date.

5. REPRESENTATIONS

No comments received to date.

6. ASSESSMENT

The main issues to be considered in relation to this application relate to 1) Principle; 2) Housing Policy; 3) neighbouring amenity; 4) highway issues.

Principle

In the adopted Local Plan, the application site lies within a Countryside Area, wherein Policy DS5 would preclude development other than for the purposes of agriculture, forestry or other uses appropriate to a rural area. As such, it is considered that the proposal for the conversion of farm buildings into a residential use, is contrary to the objectives of policy DS5 and is therefore unacceptable in principle.

Policy 5 of the Joint Lancashire Structure Plan encourages the conversion of buildings outside villages and other settlements for employment generating uses. Since the proposed development will not provide such an opportunity, it is considered that the proposed development conflicts with the objectives of Policy 5 of the Joint Lancashire Structure Plan and is therefore unacceptable in principle.

Housing Policy

The main issue which needs to be considered in relation to Housing Policy is that of housing over-supply.

Consistent with housing policy contained in national and regional guidance, Policy 12 of the Joint Lancashire Structure Plan (adopted March 2005) has resulted in a housing allocation requiring a reduced rate of provision for several Lancashire Districts over the period 2001-2016, including Rossendale. Policy 12 states that 1,920 dwellings are required to be built within the Borough between 2001 and 2016 in order to adequately house the Borough's population. It further states that these are to be provided at the rate of 200 dwellings per year until 2006 and 80 per year thereafter. Having regard to the number of dwellings which have been built since 2001, and to the number for which permission exists, LCC (Planning) is of the view that this Council should rigorously enforce a policy of restraint on proposals coming forward that will create additional dwelling units.

In the supporting statement following Policy 12 of the Structure Plan it states that : *"Where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project"*.

The Council's Housing Position Statement (August 2005) accepted the contention that the Council would over-shoot its housing allocation and the permissions now granted should be limited to those it set out :

"Applications for residential development in Rossendale will be refused, on housing land supply grounds, in all but the following limited circumstances:

- a) *In any location where the proposal is a like for like replacement of an existing residential dwelling resulting in no net gain in dwelling numbers and which conforms to relevant policies of the development plan and other material considerations; or*
- b) *The proposal will positively contribute to the urban regeneration of the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative areas or the Rawtenstall Town Centre Masterplan (Area Action Plan); and*
- c) *The proposal will not harm the character of the adjoining areas such as conservation areas and the setting of listed buildings; and*
- d) *The proposal will assist the regeneration of the site; and*
- e) *The proposal meets an identified local housing need."*

At its meeting in June 2006 Cabinet received a Housing Land Monitoring Report, setting out the latest position in relation to provision of housing. The report to Cabinet says of the Monitoring Report : *"It shows that the number of dwellings which have a valid planning approval exceed the requirements of the Joint Lancashire Structure Plan (JLSP). Anticipated completions have also been considered and this will significantly exceed the provision of just 80 that the JLSP requires on an annual basis for the period 2006 to 2016. The situation*

has not changed since the Housing Policy Position Statement, approved in August 2005". Nor has the Draft Regional Spatial Strategy progressed to the stage that its contents can have greater weight than Policy 12 of the adopted Structure Plan and the Regional Guidance it was founded upon.

Accordingly, it is appropriate to consider the application in relation to the criteria of the Housing Position Statement. The application proposal:

- Does result in an increase in the number of dwellings to be erected on the site - whilst the number of dwellings specifically proposed by this application is not great, the Council needs to be mindful of the cumulative impact.
- Does lie within the boundary of the emerging Bacup, Stacksteads & Britannia AAP, but can not be looked upon as an urban site, the development of which will significantly contribute to the urban regeneration of the Action Area Plan area.
- Will not harm the character of any Listed Building or Conservation Area, etc.
- Although, the proposal could help regenerate the area, however, this consideration can not outweigh the constraints imposed in other policy documents in relation to housing supply.
- The Applicant has not shown how the provision of these additional houses meets an identified local housing need. Nor has the applicant given any indication that the intended dwellings will be provided/retained as affordable or special needs housing (as defined in PPG3 and the Structure Plan).

Thus, the proposal is contrary to certain of the criteria of the Housing Position Statement.

Highway Issues

The access to the proposed development is via an unmade track, which has no footpaths and no street lighting. Although, the proposal would result in an increase of dwellings from one to four in this location, it is not considered that this would result in a significant increase in the number of vehicles using the lane.

7. CONCLUSION

Although, it is accepted that currently a large housing scheme (Wain Homes) is being implemented in close vicinity of the application site, in view of the location of the site within the Countryside Area and the above stated policy constraints, it is considered that the proposal would contribute towards an inappropriate excess in housing-supply provision, which is unacceptable. It is considered that the arguments put forward by the applicant in support of the proposal do not sufficiently outweigh the presumption of refusal.

8. RECOMMENDATION

It is recommended that permission be refused for the following reasons:

1. The proposed development is not appropriate development for a Countryside Area and is, thus, contrary to Policy 5 of the adopted

Lancashire Structure Plan and Policy DS5 of the adopted Rossendale District Plan.

2. The proposed development would contribute towards an inappropriate excess in housing-supply provision, contrary to Policy 12 of the adopted Joint Lancashire Structure Plan and the Rossendale BC Housing Statement (August 2005). In this case, the case has not been advanced to warrant an exception to policy being made.

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