

**Application No:** 2006/548

**Application Type:** Full

**Proposal:** Change of use from residential (C3) to an office (B1), with a photographic room and associated storage

**Location:** 564 Bacup Road, Waterfoot

**Report of:** Development Control  
Team Manager

**Status:** For Publication

**Report to:** Development Control Committee

**Date:** 5<sup>th</sup> December 2006

**Applicant:** Arthouse Limited

**Determination Expiry Date:**  
28 November 2006

**REASON FOR REPORTING**

**Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:

Reason for Call-In:

**3 or more 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.

## **1. APPLICATION DETAILS**

### **1.1 The Proposal and the Site**

The application relates to a two storey residential property located at the end of a row of terraced dwellings. The property has a dormer on the front and small rear yard bounded by a 2m high stone wall.

The proposal involves change of use from residential to an office, with photographic rooms and associated storage. It is proposed that the ground floor will be used as an office, the first floor and 2<sup>nd</sup> floor (dormer area) as photographic rooms and the basement for storage purposes.

The applicant says the proposed office facility will be used in association with their existing business premises at St James Church and will not be open to general public. It states that the parking requirement likely to be caused by the proposed use would be met by the additional parking capacity available at St James Church.

No proposals are made affecting the exterior appearance of the building.

## **2. RELEVANT PLANNING HISTORY**

No relevant planning history

## **3. POLICY CONTEXT**

Rossendale District Local Plan  
Policy DS1 – Urban Boundary  
Policy DC1 – Development Criteria

Joint Lancashire Structure Plan  
Policy 1 – General Policy

Other Material Planning Considerations  
LCC Parking Standards

## **4. CONSULTATIONS**

LCC(Highways)  
No comments

## **5. REPRESENTATIONS**

Three letters raising objection to the proposal have been received. The points raised are:

- The application property is located on a main road and the proposal development would result in an increased traffic on an already congested street. This will cause problems for the residents to park outside their homes.
- On street parking is rarely found to be available not only due to resident's vehicles but also of persons who use the street for parking to make calls on Bacup Road and Burnley Road.
- Vehicles emerging from St James Street have problems due to restricted visibility as vehicles are parked on Bacup Road outside No. 562 back to the petrol station.
- The approval of change of use will exacerbate parking/visibility problems with delivery vehicles and visiting clients. Noise will also be increased due to loading/unloading and vehicles' manoeuvring.
- There are vacant properties in Waterfoot area which could be taken up by the applicants for the proposed use.
- There is a covenant on these houses forbidding any change of use which would affect the peace and enjoyment of the neighbourhood and the people.

## 6. ASSESSMENT

### Principle

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.

### Residential Amenity

The application property is located within a predominantly residential area and due to the nature of the proposed use (i.e. Office/associated photography), it is considered that the proposal is acceptable within a residential area and that it would not have a detrimental impact on the residential character of the area. Since the proposed offices will not be open to public directly, it is not considered that the proposal would, in terms of noise and disturbance, have an adverse impact on the amenities of the adjoining residents. In view of this, it is considered that the proposed development is in accordance with Policy DC1 of the Rossendale District Local Plan.

### Traffic/Parking

The residents' comments in respect of this application relate mainly to the issue of parking and associated difficulties at Bacup Road and St James

Street. Although the application property is situated within a predominantly residential area, it is close to the junction of Bacup Road with Burnley Road East and Newchurch Road where there are several business/commercial premises. Whilst it is accepted that the residents in the area may currently be experiencing some parking difficulties, it is not considered that the proposal would exacerbate their parking problems. It should be noted that the Highways Authority has no objection to the proposal.

## 7. REASONS FOR APPROVAL

The proposed development is located within the urban boundary and will not have an adverse impact upon the amenity of the neighbouring residents. The proposed office will be used in association with the applicants existing business premises at St James Church, with additional parking provision available, and would not have an adverse impact upon highway safety. Therefore, it is considered that the proposed development is in accordance with Policies DS1 and DC1 of the Rossendale District Local Plan.

## 8. RECOMMENDATION

That permission be granted subject to the following 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 only be open for business between the hours of 8.30am and 17:00pm Monday to Friday. No business activity shall take place on the site on Saturdays, Sundays and recognised Bank Holidays.  
*REASON: To protect the amenities of the local area and to accord with the criteria of Policy DC1 of the Rossendale District Local Plan.*

<b>Contact Officer</b>	
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Works

Works

LB

Hot Mill  
Bridge

Wells

Works

WESTFIELD

STANFIELD

CHURCH STREET

CHURCH STREET

CHURCH STREET

Warehouse

PH

190.2m

BACK ROAD

EM 192

Water  
Bridge

Depot

STANFIELD ROAD

Works

Police  
Station

Mercop  
House

Works

Club

PH

Booth  
Fold

B Sub Sta

B Sub Sta

192.5m