

<b>Application No:</b> 2007/043	<b>Application Type:</b> Full
<b>Proposal:</b> Conversion of redundant barn to dwelling	<b>Location:</b> Hargreaves Fold Farm, Hargreaves Fold Lane, Lumb
<b>Report of:</b> Head of Planning, Legal and Democratic Services	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 6 March 2007
<b>Applicant:</b> Mrs. L Ashworth	<b>Determination Expiry Date:</b> 19 March 2007
<b>Agent :</b> Hartley Planning & Development Associates Ltd	

**REASON FOR REPORTING**                      **Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member: Councillor D Hancock  
Reason for Call-In: The application site is a listed building with an extant planning permission. I think it is appropriate that the Committee considers this application.

**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.

**APPLICATION DETAILS**

**1. The Proposal and the Site**

The application relates to a barn attached to a restored farm house located at Hargreaves Fold Farm. The barn and the farm house are located within a group of residential buildings which have a listed building status. Neither are themselves Listed Buildings. There are several timber structures/sheds located

in front and to the side of the barn. The site is accessed via a single tracked lane leading from Burnley Road East. The applicant owns 37 acres of agricultural land.

The proposal involves the change of use of the barn to a three bedroom house. It is proposed that the existing outbuildings would be demolished and the cleared site utilised for the provision of access drive, two parking spaces and amenity open space.

It is proposed that the existing openings in the front and side elevations will be retained. However additional windows are proposed in all elevations including the eastern gable wall. It is proposed the existing roof will be refurbished and roof lights provided on its both slopes.

In support of the application, the applicant states:

1. For the last eleven years or so, the barn has been used for domestic storage in connection with the adjacent farm house.
2. There is an extant planning permission for the barn to be converted to a 4 bedroom accommodation for the adjacent farm house.
3. The barn is structurally sound and forms part of a complex of buildings, some of which are up to 300 years old and two of which are listed.
4. The proposal would provide an opportunity to remove the unsightly and dilapidated outbuildings which would help the visual amenities of the countryside and the setting of the listed buildings.
5. The commercial usage of the barn would be more intensive in traffic and frequency of vehicle movements than residential usage.
6. The proposed development will promote the regeneration of the area, this being a largely unsightly brownfield site.
7. The proposed use accords with the national, regional and local policy documents.

## **2. Relevant Planning History**

Planning application ref. 2004/509 for the conversion of barn to form extended living accommodation and construction of pitched roof over existing garage at Hargreaves Fold Farm North, Hargreaves Fold Lane, Lumb, was granted, subject to conditions, on 28 September 2004.

## **3. Policy Context**

### Rossendale District Local Plan

Policy DS5 – Development Outside Urban Boundary and Green Belt

Policy DC1 – Development Criteria

Policy DC2 – Landscape

Policy DC4 – Materials

Policy C6 – Re - use of Rural Buildings  
Policy HP2 – Listed Buildings

Joint Lancashire Structure Plan

Policy 1 – General Policy  
Policy 5 – Development Outside Principal Urban Areas, etc  
Policy 12 – Housing Provision  
Policy 20 – Lancashire’s Landscape  
Policy 21 – Lancashire’s Natural and Manmade Heritage

Other Material Planning Considerations

PPS 1  
PPS3  
PPS7  
PPG13  
Draft RSS

RBC Housing Position Statement  
RBC Housing Land Position Monitoring Report

**4. CONSULTATIONS**

LCC (Highways)

Access onto Burnley Road East is as existing and is slightly sub-standard. However, this limited development should not cause significant problems.

**5. REPRESENTATIONS**

Site notices posted and the relevant residents notified by way of an individual letter. No comments have been 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; 5) Impact on the adjacent Listed Buildings.

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, unless for the rehabilitation and re-use of buildings, to which Policies DC1 and C6 apply.

In accordance with PPS7 (paragraph 17), 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. Policy C6 of the Local Plan does not express the same preference for conversion of rural buildings to another employment-generating use. However, the Local Plan pre-

dates both PPS7 and the Structure Plan and, consequently, cannot be given such weight upon this matter.

### 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 220 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...other circumstances where it may be appropriate to approve residential development in a situation of housing oversupply [is] the conservation benefits of maintaining an existing building worthy of retention."*

The Council's Housing Position Statement (August 2005) accepted the contention that the Council would over-shoot its housing allocation and that 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 exceptions to Policy 12 of the Joint Lancashire Structure Plan and the criteria of the Council's own Housing Position Statement.

The application proposal:

- Does result in an increase in the number of dwellings.
- Does not lie within the boundary of either of the identified Regeneration Priority Areas.
- Whether the proposal will harm the character of any Listed Building will be amplified upon below.
- The regeneration/conservation credentials of the proposal will be amplified upon below.
- The Applicant has not shown how the provision of the additional dwelling meets an identified local housing need. Nor has the applicant given any indication that the intended dwelling 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. Nor has the case been made in this instance to warrant permission being granted as an exception to Policy 12.

The recent appeal decision in respect of a proposal for a dwelling at 4 Daneswood Avenue, Whitworth is also worthy of note; a copy of the Planning Inspectorate's decision letter is to be found below, appended to the Appeals Update Report. In short, Application 2006/182 proposed erection of a 3-bed detached house, with a single garage, within the Urban Boundary of Whitworth. The application was refused permission for 2 reasons : 1) housing over-supply; & 2) lack of the facility to park 2 cars clear of the highway. The appeal against this decision was dismissed by the Planning Inspectorate on 5 February 2007. Having considered the case of the appellant about why the proposal ought not to have been refused on the grounds of housing over-supply the Inspector states : *"...neither that, nor the previous outline permission for a dwelling on the appeal site which has lapsed, would justify overriding the approach adopted by the Council to manage the supply of housing. Whilst it could be argued that permission for a single dwelling would not compromise the overall level of provision, the cumulative effect of such decisions would prejudice the housing strategy and I conclude on this issue that the proposal would be contrary to Policy 12 of the Structure Plan and Policy 1 of the Revised Interim Housing Position Policy."*

Highway Issues

The access to the proposed development is via an unmade track. Although the access at the junction of Burnley Road East with the unmade track is substandard, however in view of the limited additional vehicular movements likely to be generated by the proposal, it is not considered that this would be to the detriment of the highway or pedestrian safety.

#### Neighbouring Amenity

The proposed dwelling would be attached to the farm house and approximately 10m from the nearest property to the rear. As such, it is considered that the proposed dwelling would have an adverse impact on the amenity of the adjacent residents.

#### Impact on the adjacent listed building

As indicated in Para 2.4 of PPG15, it is a statutory requirement for the Council to have special regard to the desirability of preserving any listed buildings or its setting.

The proposed development will have an impact on the setting of the adjacent buildings. However, the submitted scheme does not give sufficient information in terms of details of the design/materials of window frames and doors, etc. to make it possible to assess fully whether the proposed development would have an adverse impact on the setting of the adjacent listed buildings. It is certainly the case that, in the absence of full details, the regeneration/conservation credentials are not considered such as to warrant an exception to housing policy.

### **7. CONCLUSION**

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. It is accepted that application building enjoys the benefit of planning permission for it to be converted to form extended living accommodation to be used in association of the adjoining farm house. However, this application is for the creation of a separate dwelling which is contrary to policies 5 and 12 of the Lancashire Structure Plan and DS5 of the Rossendale District Local Plan and is therefore unacceptable.

### **8. RECOMMENDATION**

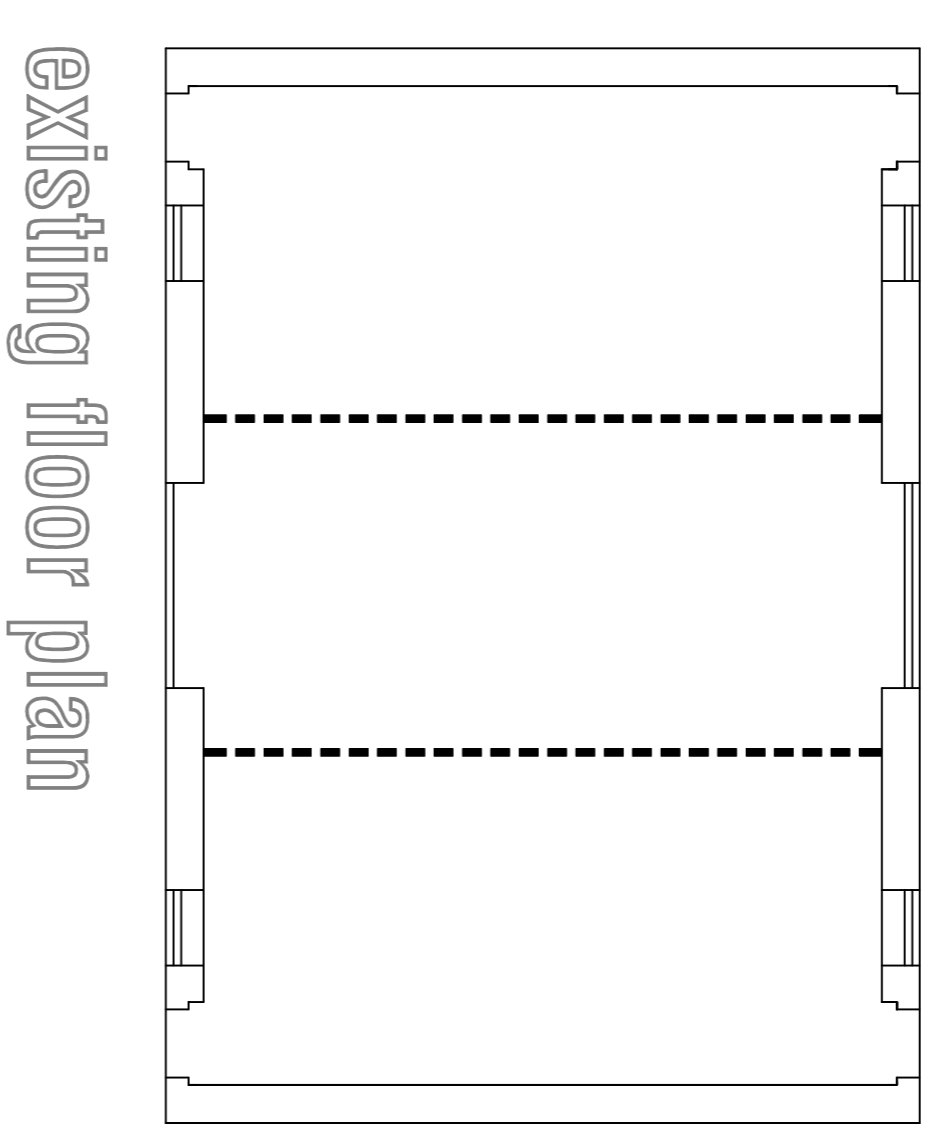
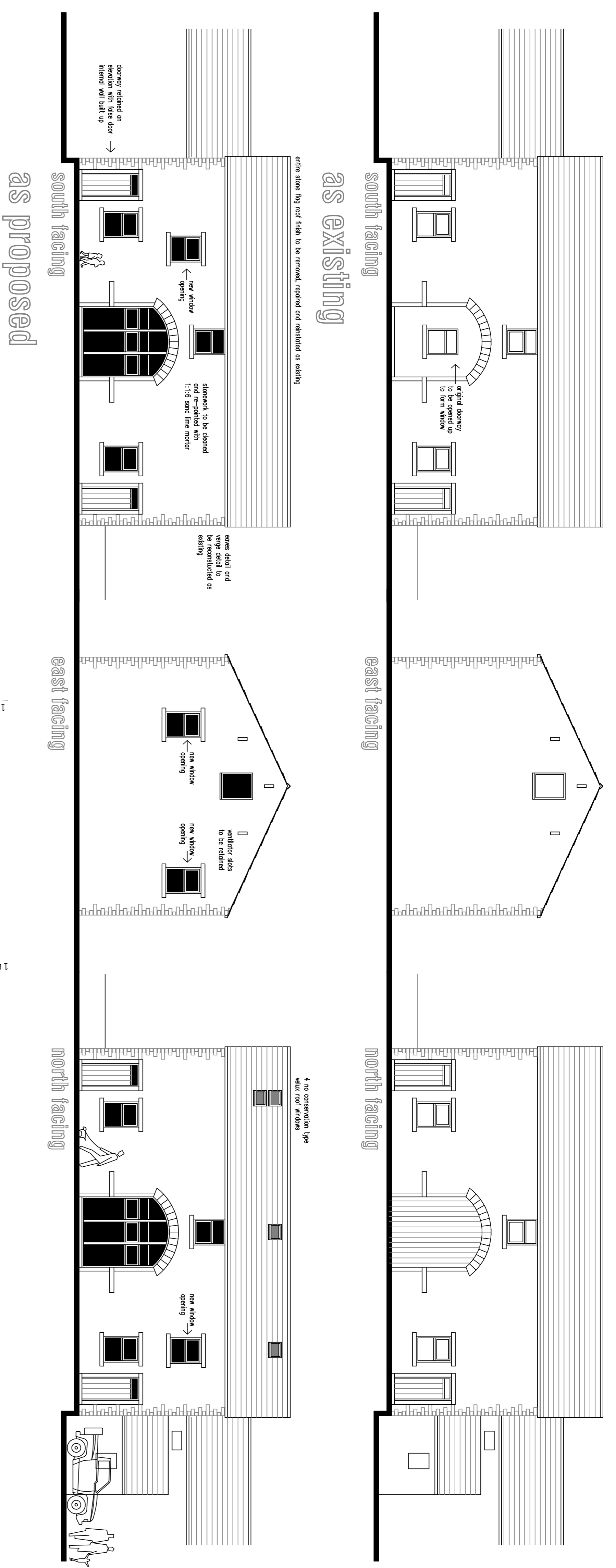
It is recommended that permission be refused for the following reasons:

1. The proposed development is not appropriate development for a Countryside Area and is contrary to the provisions of PPS7, Policy 5 of the adopted Joint Lancashire Structure Plan and Policy C 6 of the adopted Rossendale District Plan.

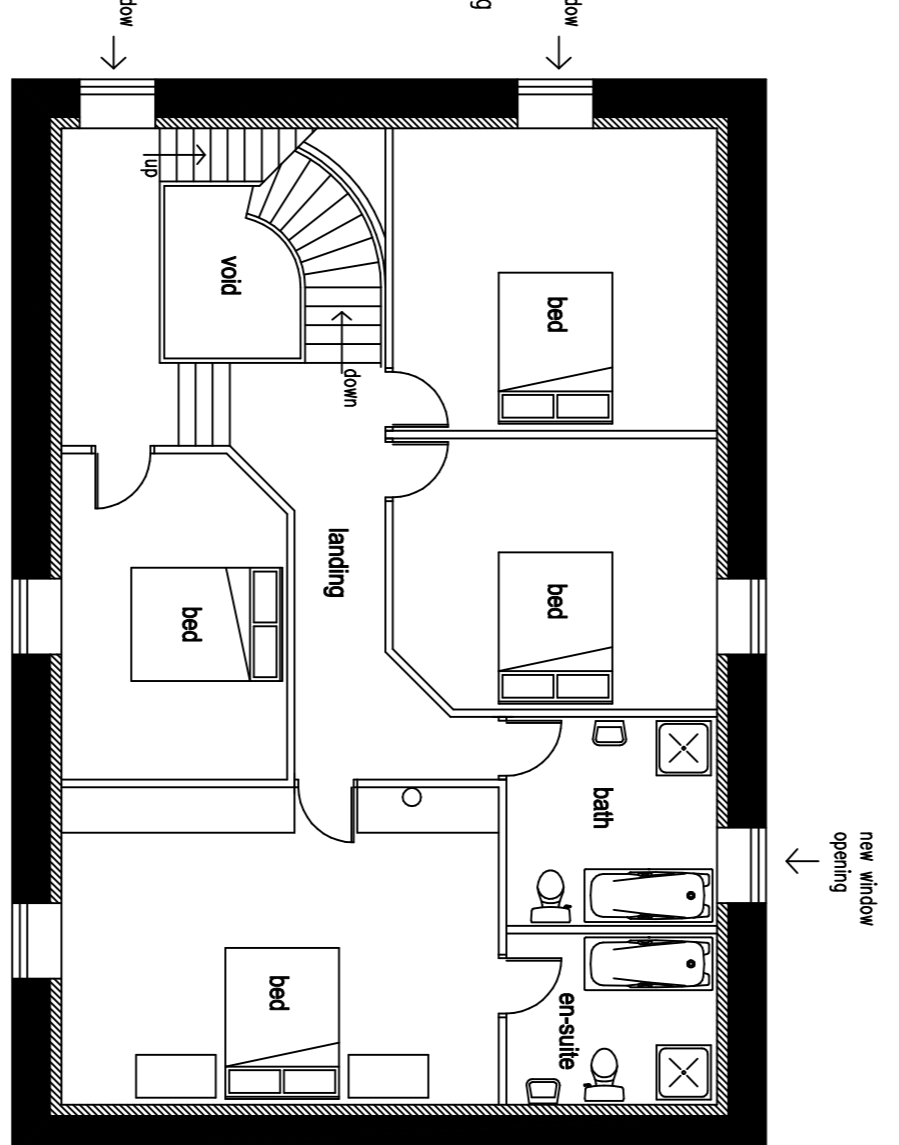
2. It is considered that the development is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of PPS3 and Policy 12 of the adopted Joint Lancashire Structure Plan 2001 – 2016 and the Council's Housing Position

Statement. In this instance, the case has not been advanced to warrant an exception to policy being made.

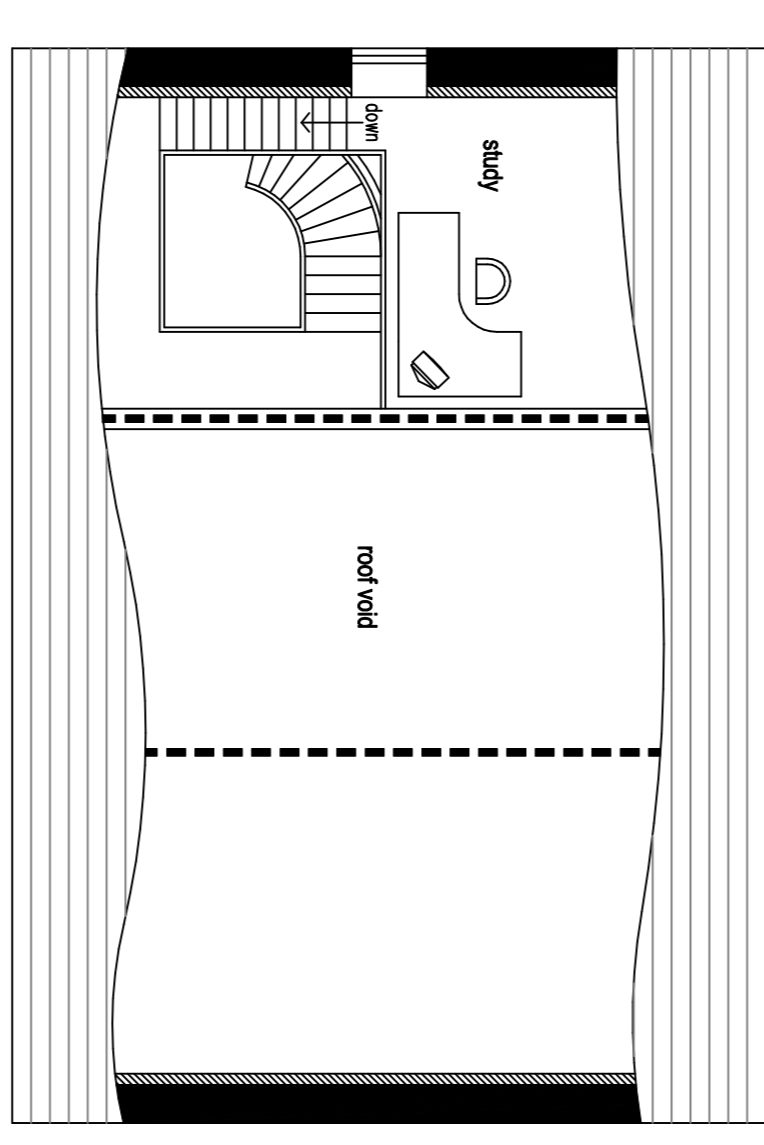
<b>Contact Officer</b>	
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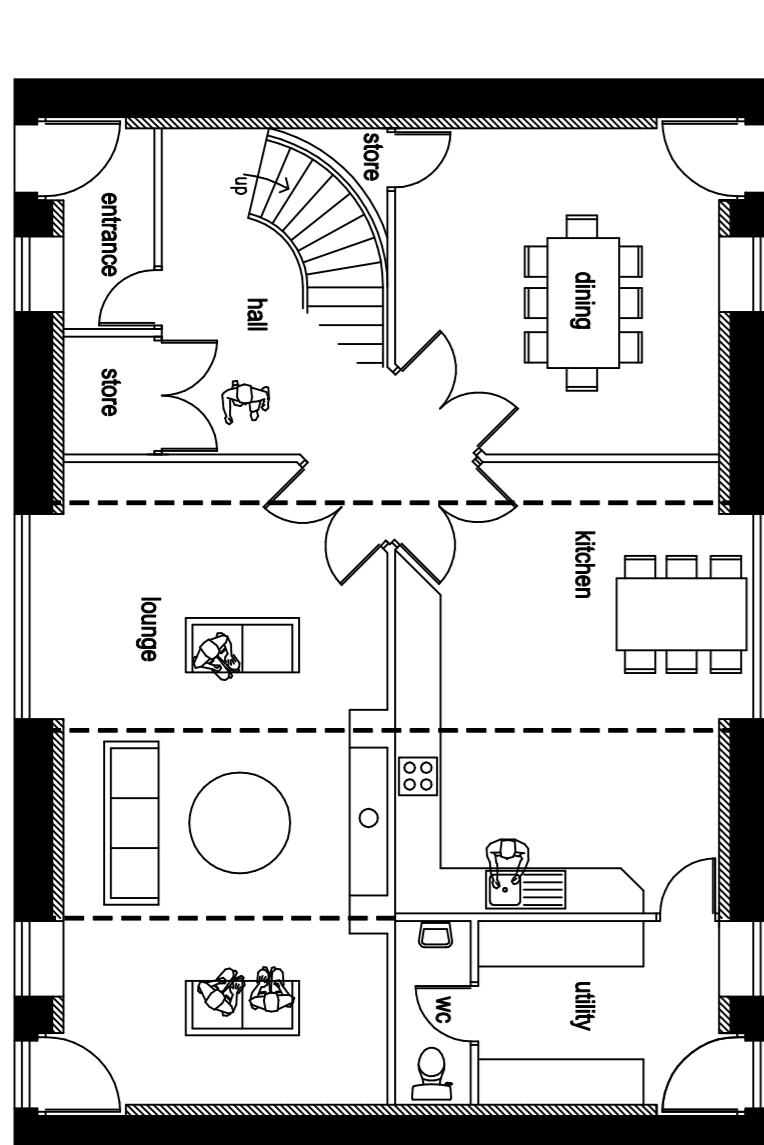
existing floor plan



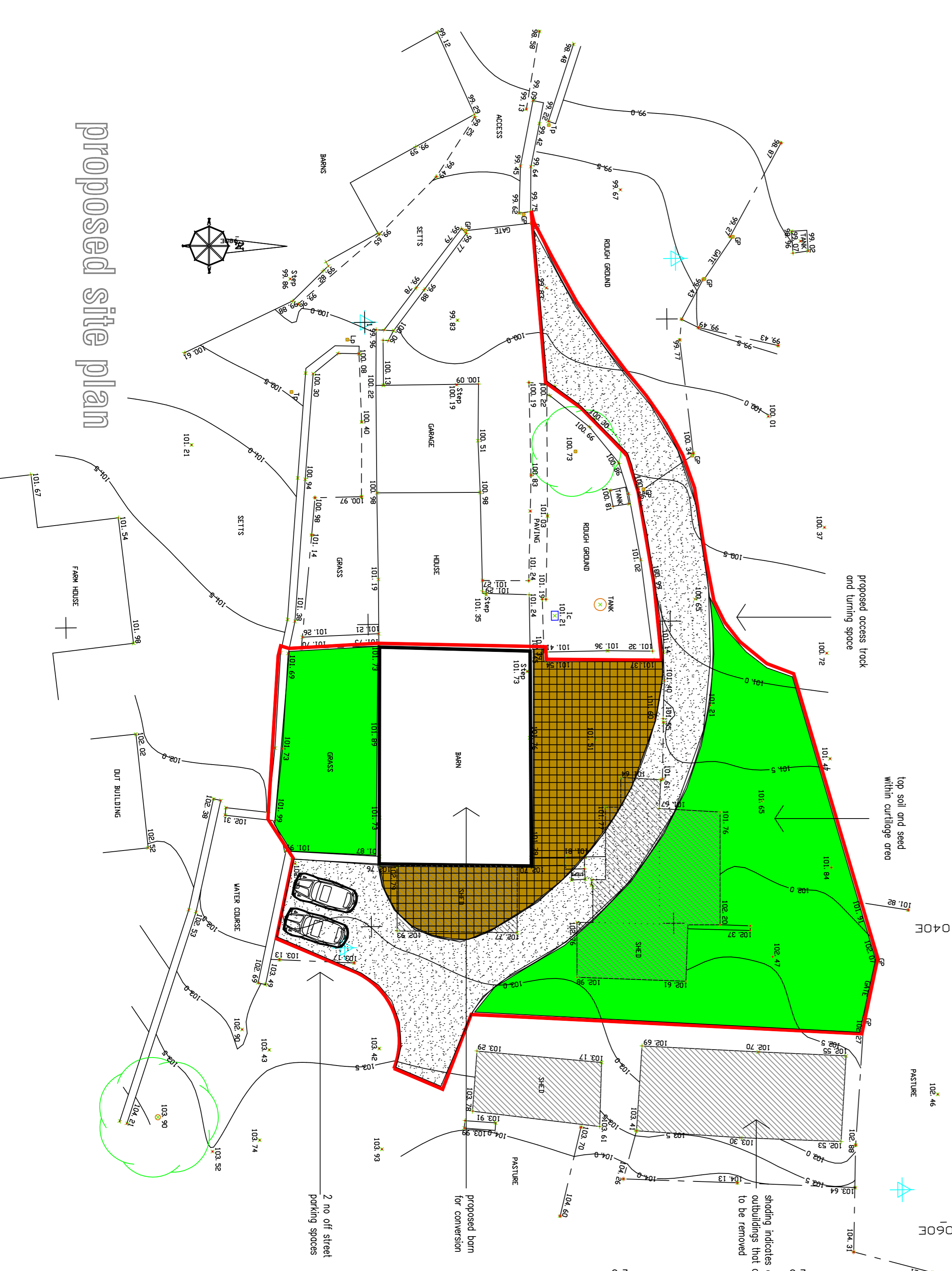
first floor



second floor



ground floor



proposed site plan

proposed conversion of barn  
to form 4 bed dwelling with  
associated landscaping at  
**Hargreaves Fold Barn**  
**Lumb**  
**Rossendale**

scale 1:100 1:200 @ A1  
0m 5m 10m

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