



<p>TITLE: 2005/088 : ALTER, REHABILITATE AND CONVERT A FORMER FARMHOUSE TO FORM A DWELLINGHOUSE, SANDBEDS FARM, SANDBEDS LANE, OFF GINCROFT LANE, EDENFIELD.</p> <p>TO/ON: DEVELOPMENT CONTROL COMMITTEE 28 APRIL 2005</p> <p>BY: TEAM MANAGER: DEVELOPMENT CONTROL</p>
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APPLICANT: MR. P. ALDERSON

DETERMINATION EXPIRY DATE: 7 APRIL 2005

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 building, known as Sandbeds Farm, is believed to be a former farmhouse occupying an isolated position in an area of open countryside. The building does not appear to have been occupied for some considerable time and is currently in a derelict condition. Planning permission is sought to alter, convert and extend it to bring it back into use as a dwelling.

This application is being reported to Committee for a decision because a Councillor (Councillor Cheetham) has requested that it be dealt with in this way.

The site is identified as forming part of a Countryside Area as defined by the Rossendale District Local Plan.

Relevant Planning History

None

Notification Responses

The application has been advertised by site notice. No representations have been received to date as a result.

The applicant's agent has submitted information in support of their proposal in which they state the following:-

- a) the proposal will support rural regeneration seeking as it does to bring the building back into productive use
- b) the proposal accords with all other relevant national and local plan policy and advice
- c) the proposed conversion/alteration works will retain the character of the building and the development as a whole will satisfactorily blend with its surroundings
- d) the building is capable of being satisfactorily refurbished (a structural report has been submitted to demonstrate this)
- e) an approval of this proposal will assist the Council in meeting its housing supply targets
- f) the building is not known to be occupied by any protected wildlife. However, the applicant would be prepared to accept a condition requiring them to carry out a survey to properly establish this prior to commencing any development
- g) re-use of the building for residential purposes would not affect the viability of any existing agricultural unit.

Consultation Responses

County Planning Officer

Object. Consider that the Council's housing target for 2006 can reasonably be met through the implementation of existing residential planning permissions. There is therefore no need for further housing at present. Also consider that the proposal would be contrary to Policies 1 and 5 of the Joint Lancashire Structure Plan.

County Highways

No observations.

County Archaeology Unit

No objections subject to conditions.

Environment Agency

No objections subject to conditions.

Building Control Services

No observations received.

Development Plan Policies

Rossendale District Local Plan

Policy DS.1 (Urban Boundary) states that *“the Council will seek to locate most new development within a defined boundary – the Urban Boundary – and will resist development beyond it unless it complies with policies DS3 and DS5. The urban boundary is indicated on the proposals map”*

Policy DC.1 (Development Criteria) states that all applications for planning permission will be considered on the basis of a) location and nature of proposed development, b) size and intensity of proposed development; c) relationship to existing services and community facilities, d) relationship to road and public transport network, e) likely scale and type of traffic generation, f) pollution, g) impact upon trees and other natural features, h) arrangements for servicing and access, i) car parking provision j) sun lighting, and day lighting and privacy provided k) density layout and relationship between buildings and l) visual appearance and relation to surroundings ,m) landscaping and open space provision, n) watercourses and o) impact upon man-made or other features of local importance.

Policy DS.5 (Development outside the Urban Boundary and the Green Belts) states that *“outside the urban boundary and the green belts, shown on the proposals map, development will be restricted to that needed for the purposes of agriculture, forestry or other uses appropriate to a rural area, or the rehabilitation and re-use of buildings provided that they comply with policies DC.1 and C.6”*

Policy C.1 (Countryside Areas) states that *“to enhance rural landscapes, known as countryside areas, with major programmes of tree planting and landscape management, with priority being given to locations adjoining the urban fringes. Any development will be required to be in scale and keeping with the character of the landscape and of a standard of design appropriate to the area”*

Policy C.6 (Re-use and Adaptation of Rural Buildings) of the Rossendale District Local Plan. The policy states that *“proposals for re-use and adaptation of rural buildings will normally be permitted and will be considered on the basis of the criteria set out in Policy DC1 particular attention will be paid to the following:-*

- a) That the building form, bulk and general design are in keeping with their surroundings*
- b) In the Green Belt the building must be genuinely surplus to the present and foreseeable needs of agriculture*
- c) The building is structurally sound and capable of conversion without the need for major alterations which would adversely affect its character and appearance.*
- d) The proposed development is carefully detailed and designed to ensure that the essential character of the building is retained, preserved and enhanced.*
- e) The affects of the creation of a garden area together with any garaging or car parking facilities does not harm the appearance or function of the area.*
- f) The access to the site is to a safe standard or is capable being improved to a safe standard without harming the appearance of the locality.*
- g) The impact of the proposal does not harm the appearance of function of the area.*
- h) Extensions to such buildings will normally only be permitted where:*

- i) *They are in size, mass and scale ancillary to the existing building, and otherwise necessary to provide a reasonable standard of modern habitable accommodation.*
- j) *They are so designed and located, and are of matching materials of construction such that they reflect and enhance the character of the existing building.”*

Policy HP.4 (New uses for Old Buildings) states that “ *the Council will actively encourage new uses of old buildings or groups of old buildings which are of architectural or historic interest and also encourage private sector conservation initiatives provided that the change of use and alterations would be sympathetic to the character of the buildings and the proposed use does not detract significantly from the quality of the surrounding area”*

Policy T.4 (Car Parking) states that “ *Development proposals will be required to provide, normally within the cartilage of the development, sufficient space to meet both operational and non operational parking requirements”*

Joint Lancashire Structure Plan 2001-2016

Policy 1 states that development should be located primarily within the principal urban areas, main towns, key service centres (market towns) and strategic locations for development. Development outside of these areas will be deemed acceptable in principle if it meets an identified local need or supports rural regeneration. In all cases the proposals must satisfy certain specified criteria.

Policy 5 states, in part, that outside of Principal Urban Areas, Main Towns and Key Service Areas (Market Towns) development of an appropriate scale and nature will normally take place in identified villages and other settlements. Such development should support rural and urban regeneration by meeting an identified local need for housing, employment or community services that maintain or strengthen the local economy (including proposals that aid farm diversification and sustainable tourism). Outside of villages and other settlements, conversion and re-development of existing buildings for employment purposes will be viewed as acceptable in principle. Limited ‘new build’ to meet identified local employment needs will also be viewed as acceptable but not within the Green Belt.

Policy 12 states that provision will be made for the construction of 1920 dwellings within the Borough within the plan period (2001-2016) 220 per year between 2001 and 2006 and 80 per year between 2006 and 2016.

The parking standards require a maximum of three car parking spaces to be provided in conjunction with dwellings with 4 or more bedrooms.

Other Material Planning Considerations

PPG3 (Housing)

Government guidance in the form of PPG 3 (Housing) states that sites for housing should be assessed against a number of criteria namely the availability of previously-developed sites, location and accessibility, capacity of existing and potential infrastructure, ability to build communities and the physical and environmental constraints on development of land.

Paragraph 22 states that *“The Government is committed to maximizing the re-use of previously-developed land...in order both to promote regeneration and minimize the amount of greenfield land being taken for development”*.

Paragraph 31 highlights the importance of the location and accessibility of housing sites to jobs, shops and services by modes of transport other than the car.

PPS7 (Sustainable development in rural areas)

This PPS, which superseded PPG7 in August of this year, provides guidance on land use planning in rural areas of England.

Paragraph 17 states that *“the Governments policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Planning Authorities should therefore set out in LDD’s their policy criteria for permitting the conversion and re-use of buildings in the countryside for economic, residential and any other purposes, including mixed uses. These criteria should take account of:*

- a) the potential impact on the countryside and landscapes and wildlife;*
- b) specific local economic and social needs and opportunities;*
- c) settlement patterns and accessibility to service centres, markets and housing;*
- d) the suitability of different types of buildings, and of different scales, for re-use;*
- e) the need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest, or which otherwise contribute to local character”*

Paragraph 40 states that *“Local Planning Authorities should support the provision of other forms of self-catering holiday accommodation in rural areas where this would accord with sustainable development objectives. The re-use and conversion of existing non-residential buildings for this purpose may have added benefits e.g. as a farm diversification scheme”*

PPG13 (Transport)

Government guidance in the form of PPG13 states in paragraph 19 that *“A key objective is to ensure that jobs, shopping, leisure facilities and services are accessible by public transport, walking and cycling.”*

Planning Issues

Housing Supply Issue

Whilst it seems likely that this building has been used as a dwelling at some stage in the past it has clearly not been occupied for some considerable time. Furthermore, it is currently in a ruinous condition and is clearly not capable of being occupied as a dwelling without extensive rebuilding works being carried out. It is contended therefore that whilst the building may formerly have had a lawful use as a single residential dwelling, that use has since been abandoned. This being the case this application needs to be considered on the basis that it seeks approval for a new dwelling.

Policy 12 of the Structure Plan states that 1920 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 properties per year until 2006 and 80 per year thereafter. In view of this, and on the basis that only 431 properties were constructed between 2001 and September 2003, it would seem reasonable to assume that there is currently a shortfall of some 1489 dwellings in the Borough. However, at 1 April 2003 there were 1606 planning permissions that were, and still are, capable of implementation. In view of this it is contended that the Council's current housing targets for 2016 can reasonably be met. With this in mind, and despite the fact that part of the site is specifically identified as being suitable for housing development in the Local Plan, it is contended, despite the view's of the agent to the contrary, that the additional dwelling proposed by this application is not currently required to meet the housing needs of the Borough.

Countryside Policy

As already indicated the building is in a poor structural condition and will need to be the subject of extensive works in order to bring it back into a habitable condition, a point borne out by the structural report which concludes that the 'scope and extent of the repairs/reconstruction should not be under estimated'. It is considered, on balance, that these works would involve so much rebuilding that this application could not reasonably be viewed as a proposal to convert the building but rather as a proposal to create a new building. This application therefore needs to be considered on this basis as well.

The application site forms part of a Countryside Area as defined by the Rossendale District Local Plan. Within such areas new housing development, unrelated to agriculture, forestry and other appropriate rural uses, is not normally viewed as appropriate. It has not been demonstrated that the house, proposed by this application, is reasonably required in connection with any of these uses. In view of this it is considered that the proposal fails to fully satisfy the requirements of policies DS.1, DS.5 and C.6 of the Rossendale District Local Plan, and policy 5 of the Lancashire Structure Plan, and that an approval thereof would therefore be contrary to adopted planning policy.

Other Issues

The proposal is considered to be acceptable in all other respects in that:-

- a) re-developing this site to form a dwelling would meet the requirements of PPG3 in so far as this is a 'brownfield' site;
- b) in pure design terms the proposed building is, on balance, considered to be acceptable. In addition, due to its isolated position, the building would not unacceptably overlook neighbouring properties or adversely affect the level of sunlight and daylight that those properties currently receive;
- c) the proposal is considered to be acceptable in highway safety terms.

Despite the above it is considered that the concerns already outlined outweigh all other considerations in this instance. In view of this refusal of this application is recommended.

Recommendation

That planning permission be refused for the following reasons:

Reason for Refusal

1. It is considered that the dwelling is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of policy 12 of the Joint Lancashire Structure Plan 2001 – 2016.
2. Having regard to the extent of the proposed refurbishment works it is contended that the proposed development would amount to a new dwelling. This would be located within a Countryside Area outside of the defined Urban Boundary and the Green Belt and would, it is contended, be unrelated to agriculture, forestry or any other use deemed appropriate to a rural area. Furthermore, in the view of the Local Planning Authority, there is no proven overriding need for the development. The proposal is therefore considered to be contrary to the provisions of policies DS.1, DS.5 and C.6 of the Rossendale District Local Plan, and Policy 5 of the Joint Lancashire Structure Plan 2001 – 2016.

Local Plan Policies

DC.1
DS.1
DS.5
HP.4
C.1
C.6
T.4

Structure Plan Policies

Policies 1, 5 and 12