

Application

No: 2007/717

Proposal: Siting of residential mobile home
(Retrospective)

Application

Type: Full Application

Location: Carter Hall Stables, Carter Hall
Place, Haslingden.

Executive Director of
Regulatory Services

Status: For Publication

Report to: Development Control
Committee

Date: 11 March 2008

Applicant: Mr & Mrs L Wrigley

**Determination
Expiry Date:** 7 February 2008

Agent: P Wilson

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

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 Site

- 1.1 The application site comprising a residential mobile home, is situated at Carter Place Stables off Carter Hall Road, Haslinden. Carter Place Stables is a privately owned stables which provides an equestrian breeding facility for professional show jumping and dressage equestrian market. The stables facility comprises approximately 8.5 acres of land, 14 stables and a 20m x 8m general purpose building along a ménage.
- 1.2 The site is located on the southern boundary of Carter Hall Park and is accessed via a track off Carter Hall Road. There are several temporary buildings located along both sides of the access track.

2. Relevant Planning History

- 2.1 Planning permission ref. 2005/578 for the erection of open fronted agriculture building was approved, subject to conditions, on 5 December 2005.

3. The Current Proposal

- 3.1 The application has been submitted in retrospect and seeks the retention of the detached residential mobile home (14.7m x 6.10m x 4m). The building has been constructed with a brickwork skirting and exterior walls finished in ridgewood cladding. It has a pitched roof and doors and windows built in upvc materials. The mobile home provides a two bed accommodation.
- 3.2 In support of the application, the applicant points out that:

- The mobile home is required to provide a permanent presence at Carter Place Stables as a matter of functional and financial necessity for the running of the business.
- The proposed development will have a positive social and economic impact providing employment for the applicants.
- Prior to the current mobile home being sited at Carter Place Stables, the application site has been used for the siting of a previous mobile home and caravan continuously since 1998.
- The mobile home would help the applicants provide constant care and attention required for the safe management of the site.
- The site is relatively isolated location which is not readily visible from any surrounding properties.

4. Policy Context

- 4.1 **National Planning Guidance**
PPS1 - Sustainable Development
PPS3 - Housing
PPS7 – Sustainable Developments in Rural Areas
PPG2 – Green Belts
PPG13 - Transport
PPG 24 – Noise

4.2 **Development Plan Policies**

Regional Planning Policy

Draft RSS

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy

Policy 5 – Development Outside of Principal Urban Areas, Main Towns and Key Services Centres

Policy 7 - Parking

Policy 12 - Housing Provision

Rossendale District Local Plan (Adopted 1995)

DS 3 – Green Belt

DC1 - Development Criteria

DC4 - Materials

4.3 **Other Material Planning Considerations**

LCC Parking Standards

RBC Core Strategy

RBC Interim Housing Policy Statement (December 2007)

RBC Housing Market Assessment (September 2007)

5. **CONSULTATIONS**

LCC (Highways)

No highway comments

6. **REPRESENTATIONS**

6.1 A site notice was posted on 2 January 2008 and the relevant neighbours were notified by letter on 20 December 2007 to accord with the General Development Procedure Order. The site notice has been posted to go above and beyond the regulatory requirement to ensure a high level of Community engagement to accord with PPS1.

6.2 Eight individual letters, two raising objection and six in support of the application have been received. The points raised in the objections are:

- The application form is incorrectly completed as I and my sister are the joint owner of the site.
- Planning permission ref. 2005/578 to erect an open fronted building to replace a number of storage containers on the site was granted in the green belt. Conditions requiring the removal of the existing containers from the site and submission of landscape details have not been complied with.
- The current application constitutes an intensification of the use within the green belt introducing a residential element to the use of the land.
- Although the application is for a mobile home, this is being used as a permanent residence, together with drainage and septic tank.

The comments made in support of the application are:

- The applicants have for many years worked very hard to maintain a quality, established stables yard for the breeding of their high quality horses. The presence of these horses give so much pleasure to local people.
- The applicants fully deserve to have a home on the site.
- The horses and other animals are cared for with the best possible and high quality supervision and management.
- The animals require constant attention and care. The home is essential for the welfare of the livestock.
- The stables are kept in clean and tidy condition.
- The siting of the home neither affects our views nor causes any inconvenience.

6.3 In response to the comments made by one of the objectors, the applicant confirmed in writing on 28 January 2008 that in compliance with condition 2 of the previous planning permission ref. 2005/578 for the erection of open fronted building, the storage containers had been removed from the site. However an inspection of the site on 12 February 2008 revealed that the containers in question were still in place and condition 2 remained non-complied. An enforcement action is currently being pursued in this respect.

7. ASSESSMENT

7.1 In dealing with this application the main issues to consider are:

1. Principle of the development
2. Housing Policy
3. Neighbourhood amenity
4. Highway issues.
5. Design/appearance

Principle

7.2 In the adopted Local Plan (Saved Policies), the application site lies within the Green Belt, wherein Policy DS3 would preclude, except in very special circumstances, for the erection of new buildings and for the change of use of other buildings other than for the purposes of agriculture, forestry or other uses appropriate to a rural area. This is supported by PPG2 which states that new buildings in the Green Belt are inappropriate unless they are for the purposes of agriculture and forestry; essential facilities for outdoor sport and outdoor recreation, for cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of the land including in it. Since the proposed development is being used for residential purposes, it is considered that the proposal conflicts with the objectives of policies DS3 and PPG2 and is therefore unacceptable in principle.

7.3 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.

Housing Policy

- 7.4 The main issue which needs to be considered in relation to Housing Policy is that of housing over-supply.
- 7.5 PPS3 sets out Government guidance on a range of issues relating to the provision of housing. Paragraph 3 states that *“One of the roles of the planning system is to ensure that new homes are provided in the right place and at the right time, whether through new development or the conversion of existing buildings. The aim is to provide a choice of sites which are both suitable and available for housebuilding. This is important not only to ensure that everyone has the opportunity of a decent home but also to maintain the momentum of economic growth”*. Paragraph 8 goes on to say *“It is an essential feature of the plan, monitor and manage approach that housing requirements and the ways in which they are to be met, should be kept under regular review. The planned level of housing provision and its distribution should be based on a clear set of policy objectives, linked to measurable indicators of change...Reviews should occur at least every five years and sooner, if there are signs of either under or over-provision of housing land”*.
- 7.6 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, Lancashire County Council (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.
- 7.7 In the supporting text 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 housing or special needs housing or form a key element within a mixed use regeneration project”.
- 7.8 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 provisions of just 80 that the*

JLSP requires on an annual basis for the period 2006 to 2016". The Draft Regional Spatial Strategy has not progressed to the stage that its contents can have a greater weight than Policy 12 of the adopted Structure Plan and the Regional Guidance it was founded upon.

7.9 A Revised Interim Housing Position Statement and an Affordable Housing Position Statement were approved by Council in January 2007. However, the need to continue to constrain the supply of housing land was considered again in December 2007 by Cabinet and these documents have now been revised as the Interim Housing Policy Statement. This document sets out that applications received on or after 20/12/07 will be considered against the criteria set out in this policy statement. The application was submitted after the approval of this document and will therefore be assessed against its provisions.

7.10 The Council's Interim Housing Policy Statement (December 2007) 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 acceptable in the following circumstances:

- a) The replacement of existing dwellings, provided that the number of dwellings is not increased.*
- b) The proposal can be justified in relation to agricultural and forestry activities.*
- c) In relation to listed building and important buildings in conservation areas, the applicant can demonstrate the proposal is the only means to their conservation.*
- d) Conversion or change of use of buildings within the urban boundary of settlements within the Borough (i.e. Rawtenstall including Bacup and Haslingden) where the number of units is 4 or less.*
- e) New build proposals on previously developed land (PDL) within the urban boundary of the main development location (Appendix C) but excluding the Action Plan Areas; where the number of units is 20 or less. These proposals will only be acceptable where they make an essential contribution to the supply of affordable housing as interpreted in Appendix B.*
- f) Proposals on previously developed land (PDL) within the regeneration priority areas of Rawtenstall Town Centre APP or Bacup, stacksteads and Britannia APP that will deliver regeneration benefits. Where proposals are for 15 or more dwellings, the Council will seek to obtain 30% affordable housing (where there is a clear need as demonstrated through the Housing Needs Assessment). A reduction in the affordable housing requirements will only be acceptable where the applicant pays for the Council to approach an independent specialist to test their arguments on viability.*
- g) Developments that are solely for affordable or special needs housing will be supported where they address local need and are appropriate in terms of their scale and location.*

h) Within the urban boundary of the main development location or the regeneration priority areas where residential development is part of a mixed-use scheme that will have essential regenerative benefits for the Borough. Where proposals include 15 or more dwellings, the council will seek to obtain 42% affordable housing (where there is a clear need as demonstrated through the Housing Needs Assessment). A reduction in the affordable housing requirement will only be acceptable where the applicant pays for the Council to approach an independent specialist to test their arguments on viability.

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

- Does not represent the replacement of existing dwellings.
- Is not in relation to agricultural or forestry activities.
- Will not harm the character of any Listed Building or Conservation Area.
- Does not relate to conversion or change of use of a building within the urban boundary of the main development location within the Borough (i.e. Rawtenstall including Bacup and Haslingden).
- Is not a new built proposal on the previously developed land.
- Does not relate to a proposal on previously developed land within the regeneration priority areas.
- Does not relate to affordable or special needs housing
- Does not afford regenerative benefits

7.12 The proposal is contrary to the general thrust of Housing policy to be applied in a situation of housing oversupply. With respect particularly to the issue of oversupply, the proposal does not meet any of the criteria of the Council's own Interim Housing Policy Statement. The applicant has not made a case in this respect to warrant permission being granted as an exception to Policy 12.

Neighbourhood amenity

7.13 There are no residential properties located in close vicinity of the site. As such it is considered that the proposal has little detrimental impact on the residential amenities of the adjacent residents in the area.

Highway safety

7.14 Access to the site is gained via an existing access track from Carter Hall Road. The highway authority has no comments with regard to the proposed access.

Design/appearance

7.15 The building has been constructed with a brickwork skirting and exterior walls finished in ridgewood cladding. It has a pitched roof and doors and windows built in upvc materials. The house is located away from the main residential development and given the location of the site, it is considered that the proposed development, in terms of the design and appearance, is acceptable.

8. CONCLUSION

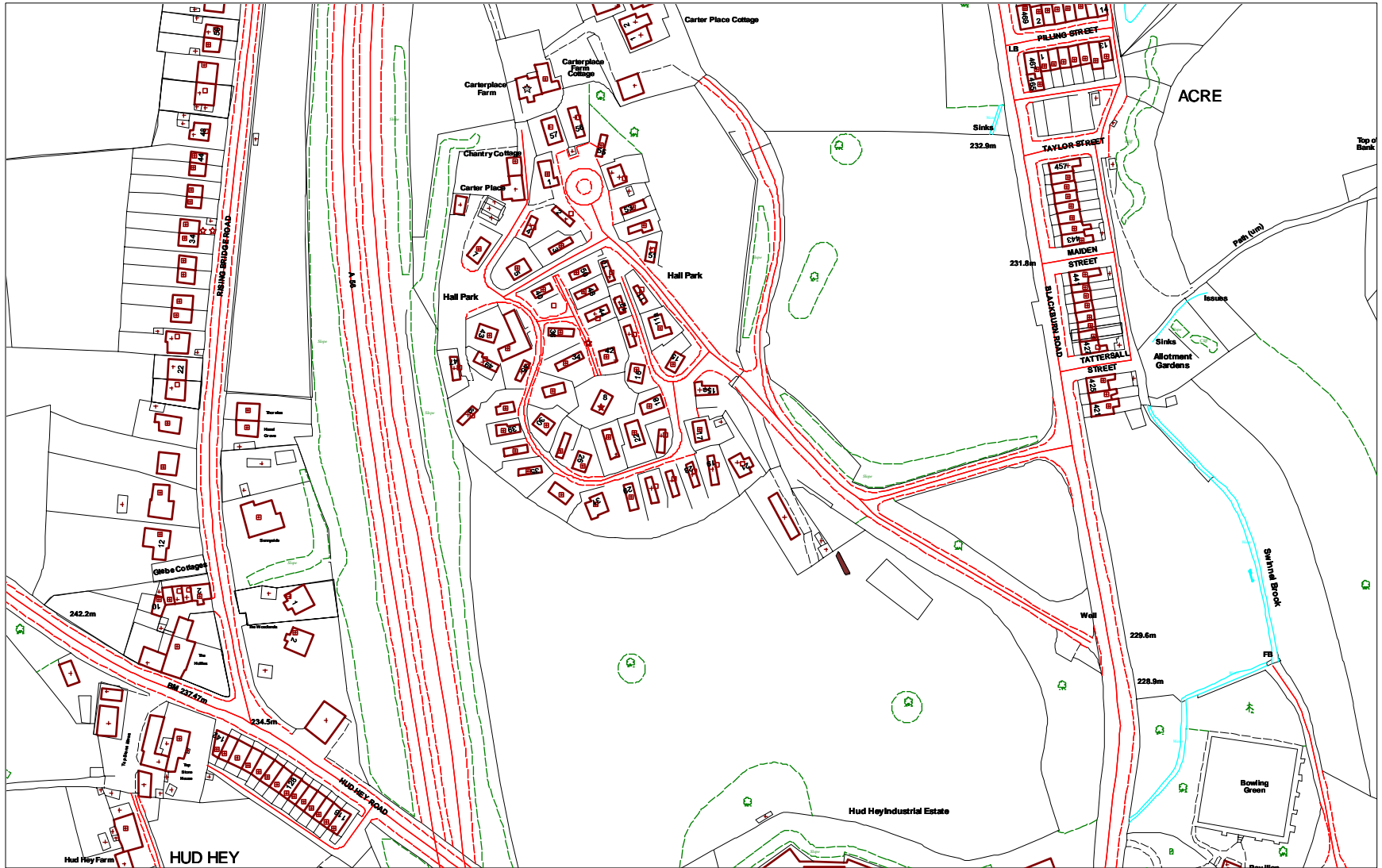
- 8.1 In view of the location of the site within the Green Belt and the above stated policy constraints, it is considered that the proposal development is contrary to the objectives of the Green Belt and contributes towards an inappropriate excess in housing-supply provision. It is considered that the proposed dwelling is contrary to policies 5 and 12 of the Lancashire Structure Plan and DS3 of the Rossendale District Local Plan and is therefore 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.

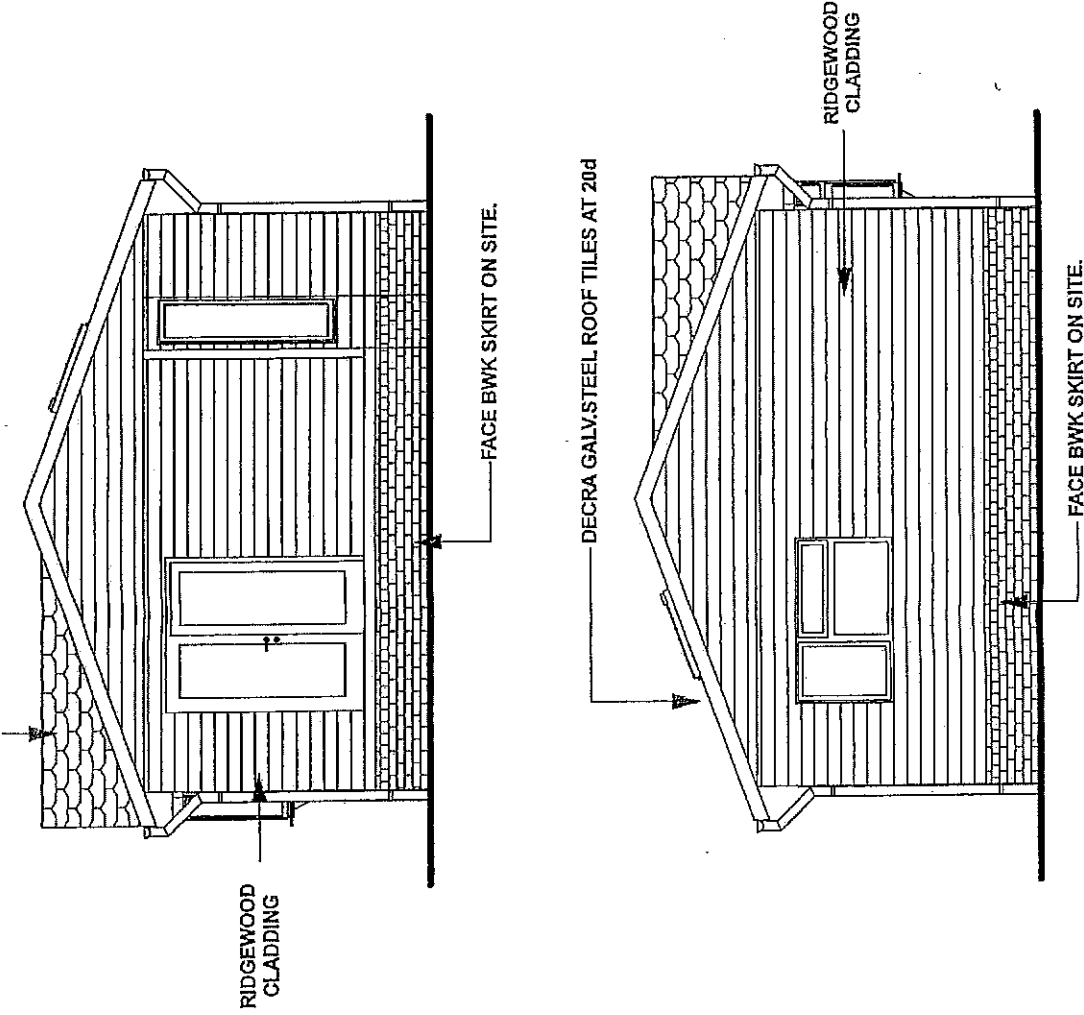
9. **RECOMMENDATION**

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

1. The proposed development is not appropriate development within the Green Belt and is contrary to the provisions of PPS7, Policy 5 of the adopted Joint Lancashire Structure Plan and Policy DS3 of the adopted Rossendale District Plan.
2. The proposed development would contribute towards an inappropriate excess in housing-supply provision, contrary to the provisions of PPS3, Policy 12 of the adopted Joint Lancashire Structure Plan and the Rossendale BC Interim Housing Policy Statement (December 2007). In this instance, the case has not been advanced to warrant an exception to policy being made.

Contact Officer	
Name	M Sadiq
Position	Planning Officer
Service / Team	Development Control
Telephone	01706 238641
Email address	planning@rossendalebc.gov.uk



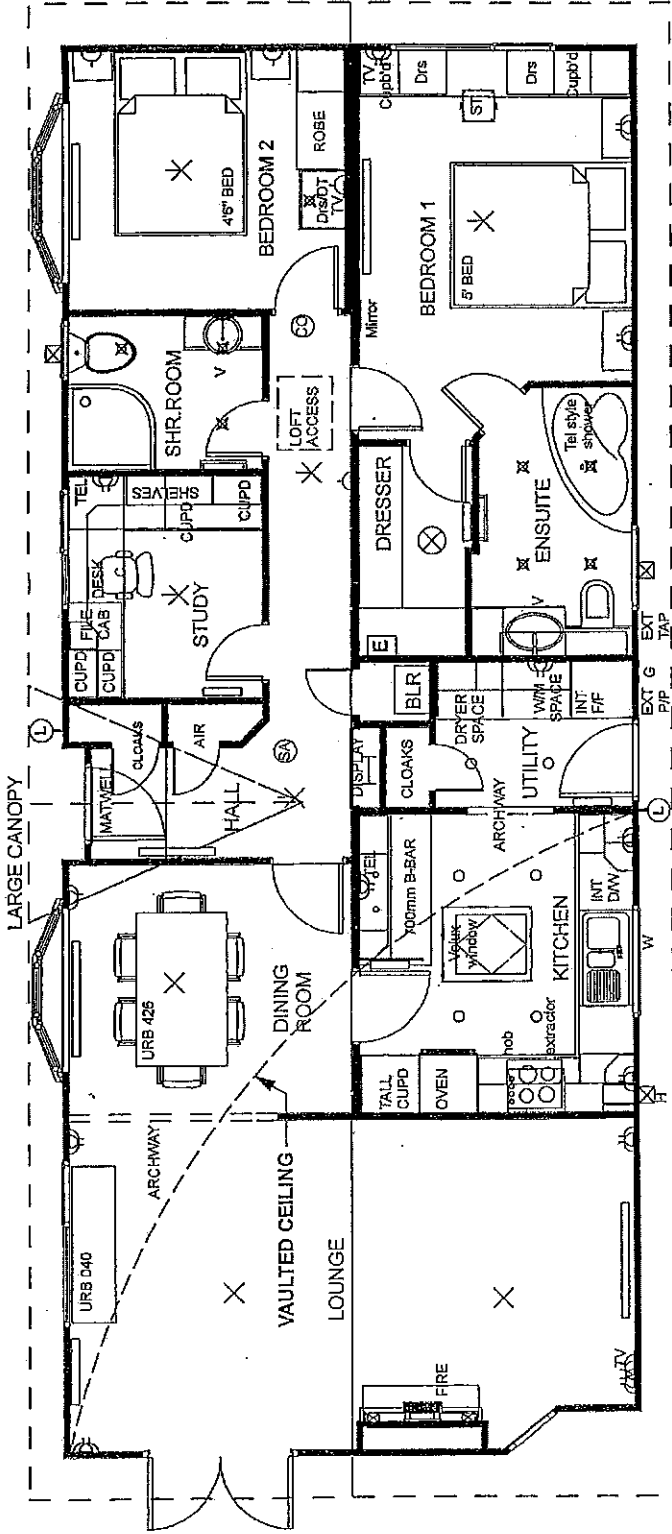


13 DEC 2007

<p>CLIENT : MR & MRS L & S WRIGLEY. ELEVATION : END ELEVATIONS</p>		SIGNATURE	DATE	FILE No. 48P1004
		Scale 1 : 50		DATE : 08/06/2007
				JOB No. :

KELWOOD

14.78x6.10(48 6x20)



- BLR COMBI GAS BOILER
- W/M NAT/LPG GAS
- HOB NAT LPG GAS WITH EXT HOOD OVER
- PLUMBED SPACE FOR OWN WASHER
- EXTRACTOR
- HOOD EXTRACTOR
- STRIP LIGHT
- SINGLE SOCKET
- DOUBLE SOCKET
- RADIATOR
- CEILING LIGHT
- COACH LAMP
- PENDANT LIGHT
- 3/4 LIGHT CEILING FITTING
- EXTERIOR ELECTRIC POINT
- WATER IN
- DOWN LIGHTS
- SPOT LIGHTS
- GAS IN
- TV SOCKET
- AIR AIRMING CUPBOARD
- LOC TOP LOCKER
- D'S DRAWERS
- ST. DRESSER STOOL
- D.T. DRESSING TABLE
- WALL LIGHTS
- FIRE 13 DEC 2007
- ELECTRIC TRIP ELCB
- VANITY
- CO CARBON MONOXIDE DETECTOR
- SA SMOKE ALARM
- EXT TAP EXTERIOR TAP
- TEL. TELEPHONE TRUNKING

SIGNATURE

Scale 1 : 50

DATE

CLIENT : MR & MRS L & S WRIGLEY.

PARK : PRIVATE.

NOTES:
 BAY WINDOWS, DOUBLE GLAZING, TILED ROOF AND GAS CENTRAL HEATING ARE STANDARD. ALL INDICATED SIZES ARE NOMINAL.
 © THIS DRAWING IS THE PROPERTY OF LISSETT RESIDENTIALS LTD & IS PROTECTED BY COPYRIGHT. UNAUTHORISED COPYING, PUBLICATION OR OTHER USE WILL RESULT IN PROSECUTION.

LISSETT PARK HOMES.
 POCKLINGTON INDUSTRIAL ESTATE, YORK ROAD, POCKLINGTON, YORK YO42 1NR.
 PHONE:01759 302801
 FAX:01759 322159

ROOM	3.46	5.95	11	4	19	6
LOUNGE	2.61	x 3.02	(8	7	x 9	11
DINING	5.69	x 1.16	(18	8	x 3	10
HALL	3.13	x 2.86	(10	4	x 9	5
KITCHEN	1.52	x 2.06	(5	0	x 6	8
UTILITY	1.61	x 2.02	(5	3	x 6	8
SHR.ROOM	3.46	x 2.86	(11	4	x 9	5
BEDROOM 1	2.70	x 2.88	(8	10	x 9	6
BEDROOM 2	2.82	x 1.61	(9	3	x 5	3
ENSUITE	2.20	x 1.18	(7	3	x 3	10
DRESSER	2.33	x 2.02	(7	8	x 6	8
STUDY						

PROPOSAL No. 48P1004

JOB No. .

DATE: 08/06/2007

DRAWN BY: C.Close



2007/717

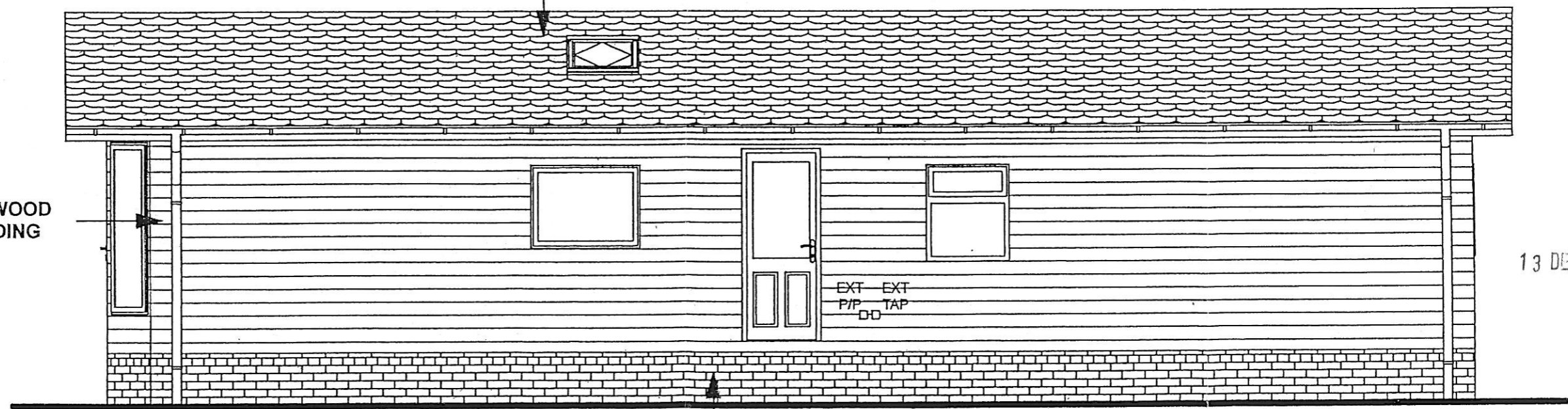
DECRA GALV.STEEL ROOF TILES AT 20d



UPVC DOUBLE GLAZED WINDOWS

DECRA GALV.STEEL ROOF TILES AT 20d

RIDGEWOOD CLADDING



EXT EXT
P/P TAP
DD

13 DEC 2007

FACE BWK SKIRT ON SITE.

CLIENT : MR & MRS L & S WRIGLEY.

SIGNATURE

DATE

FILE No. 48P1004

DATE :08/06/2007

ELEVATION - SIDE ELEVATIONS