

Application No: 2007/0764	Application Type: Full
Proposal: Conversion of public house (with living accommodation) into 2 dwellings	Location: White Horse Public House, Egdeside Lane, Waterfoot
Report of: Planning Unit Manager	Status: For Publication
Report to: Development Control Committee	Date: 15 April 2008
Applicant: Hartley Planning & Development Associates	Determination Expiry Date: 22 February 2008

REASON FOR REPORTING	Tick Box
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Outside Officer Scheme of Delegation	X
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Member Call-In	X
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Name of Member: Cllr. David Hancock
Reason for Call-In: See the attached report

3 or more objections received

Other (please state)**Previously deferred by Committee**

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. Background

At the meeting of Committee on 19 February 2008 Members considered the attached report and decided to defer the determination of the application in order that clarification could be sought in respect of interest there may be in conversion of the premises to other than residential use. A copy of the Committee Minute is appended.

2. Up Date

The applicant has confirmed that, although there has been an approach from a local church to see if the property could be acquired, it has not been possible to progress this matter any further. According to the applicant, the church is not in a position to proceed with the purchase at the present time and the chances of it being able to do so at a later date is tenuous in the extreme.

The applicant is of the opinion that the building in question continues to deteriorate and as a consequence, not only that the residents have to put up with living next to an empty building but the owner has to continue to finance a building giving no income. The applicant therefore has asked that the application is considered by Committee for determination.

Whilst there are no further comments to be made in respect of the attached report, Members will wish to be aware that :

1. The applicant has withdrawn the Appeal lodged against the refusal of application 2007/593.
2. St Anne's Parochial Church Council has submitted a planning application for the change of use of the Public House to a Youth Community Building, with associated office. The application was received on 26 March 2008.

3. ASSESSMENT

The application was previously recommended to Committee for refusal for the following two 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 DS5 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.

I appreciate that the proposal will result in the addition of only one dwelling unit. Nevertheless, I still do not consider the applicant to have advanced a case to justify permitting this proposal.

4. RECOMMENDATION

It is recommended that permission be refused for the two reasons set out above.

Contact Officer	
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Appendices attached:

1. Report of 19.02.08
2. Extract of Minutes 19.02.08



St Anne's Church

Shelter

Vicarage

79

104

107

66 68

111

KARLENE AVENUE

66

60

66

77

60

121

121

65 2 27 65

120

137

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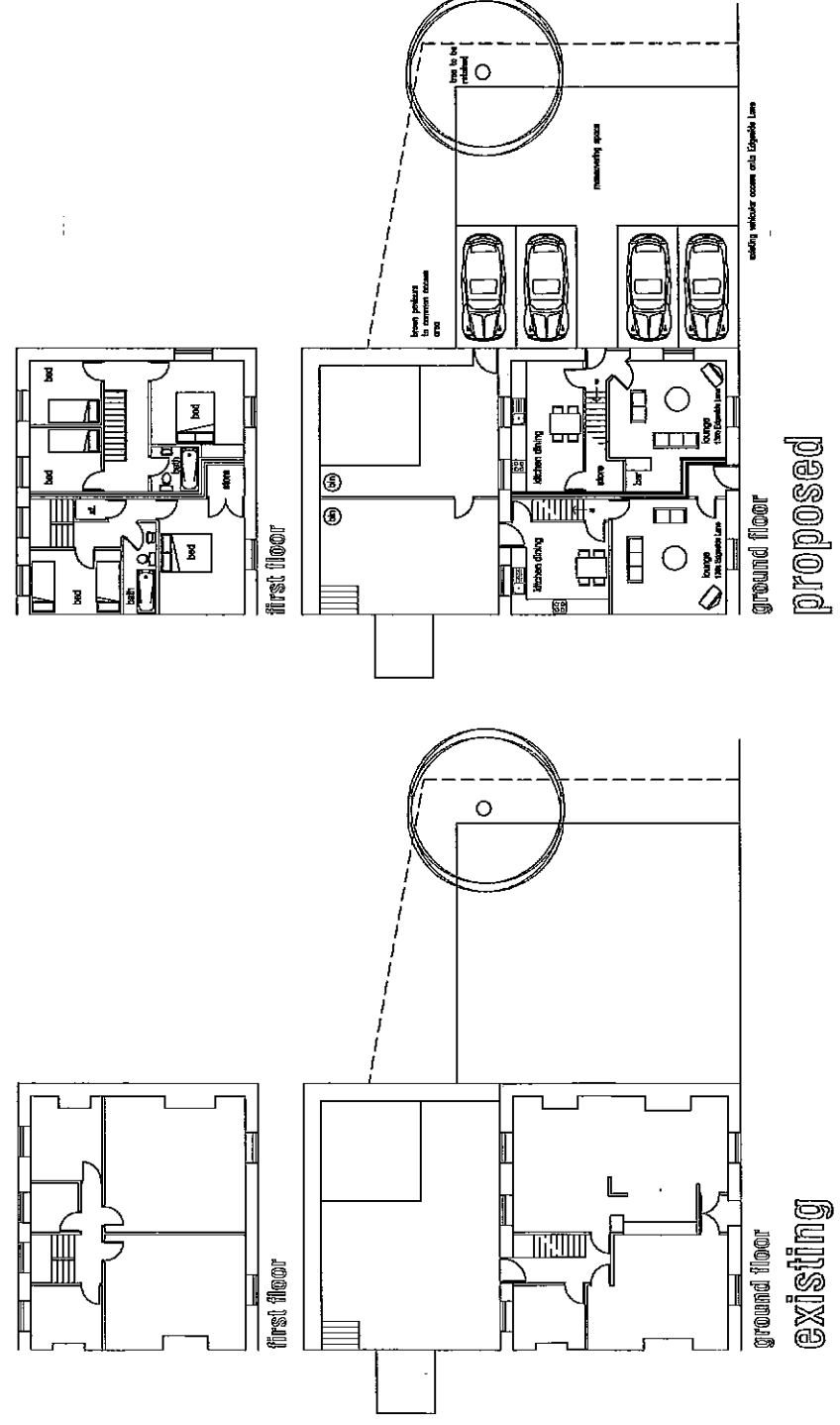
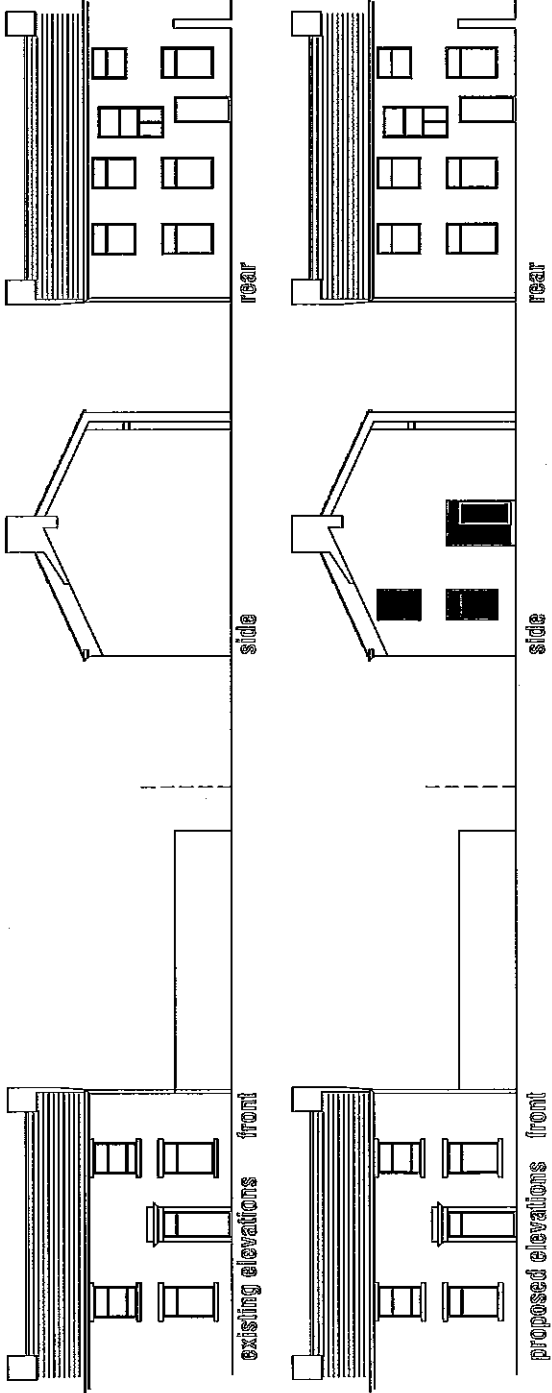
EDGEMOOR

Mount Zion Baptist Church

Meadow Top Farm

Sinks

Footpath



amended proposal

porch deleted
parking increased to 4 spaces
window corrected on plan

proposed conversion of former public house to form 2 no townhouses at

**The former White Horse PH
Edgeside Lane
Waterfoot**

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