

- 2.2 **2008/0202** Conversion of dwelling to 2 self contained apartments, including two storey rear extension Withdrawn

3. The Current Proposal

- 3.1 Application 2008/0202 was withdrawn following advice from the case officer with regards to the visual and residential amenity affects of the proposed two storey extension. As such the applicant has come in with a revised scheme. The single storey extension would measure 1.5 metres in depth with a width of 2.3 metres and a height of 3.4 metres with a lean to roof. Materials would be to match existing. The existing garage to the rear of the access road would be removed to allow parking for an additional vehicle.

4. Policy Context

4.1 National Planning Guidance

PPS1 - Sustainable Development
PPS3 - Housing

4.2 Development Plan Policies

Regional Spatial Strategy for the North West

Joint Lancashire Structure Plan (Adopted 2005) – Saved Policies

Policy 1 - General Policy
Policy 2 - Main Development Locations
Policy 7 - Parking
Policy 12 - Housing Provision

Rossendale District Local Plan (Adopted 1995)

DS1 - Urban Boundary
DC1 - Development Control
DC4 - Materials

4.3 Other Material Planning Considerations

Rossendale BC Revised Interim Housing Policy Statement (December 2007)
Lancashire CC - Parking Standards

5. CONSULTATIONS

5.1 INTERNAL CONSULTATIONS

Forward Planning –.The application is considered acceptable with regards to housing oversupply, meeting criteria d) of the Interim Housing Policy Statement.

5.2 EXTERNAL CONSULTATIONS

Lancashire County Council

Highways –.No highways comments

6. REPRESENTATIONS

6.1 A site notice was posted on 29/05/2008 and 12 neighbours were notified by way of letter on 27/05/2008 and 04/06/2008. 3 objections have been received and a letter of objection signed by 5 residents.
The following points were raised:

- The access road is a footpath and is not for vehicular use.
- The proposed parking is inadequate.
- Apartments would affect the character of the row.
- There are health and safety issues with the apartments.
- The internal walls of the property are only single brick, therefore problems of noise and odours to neighbours.

7. REPORT

7.1 The main considerations of the application are the principle of the conversion of a single dwelling into 2 flats in a period of housing restriction, the impact of the proposal on visual and residential amenity as well as highway safety.

7.2 Housing Policy

The main issue which needs to be considered in relation to Housing Policy is that of housing over-supply.

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”*.

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.

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".

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.*

Accordingly, it is appropriate to consider the application in relation to the criteria of the Interim Housing Policy Statement. The scheme is for the conversion of a dwelling into less than 4 units within the urban boundary. Thus, the proposal conforms with criteria d) of the above policy, making it appropriate for permission to be granted despite the housing oversupply situation within the Borough.

8 Visual Amenity

8.1 The single storey extension is considered to be an acceptable size and would not be disproportionate to the property. The size and design is considered not to be detrimental to the character of the row. Clarification is required over the proposed number of roof lights to the property. The proposed parking area to the rear of the access road is considered acceptable. The scheme is considered acceptable in visual amenity terms.

8.2 Neighbour Amenity

8.3 The proposed extension would not incur a loss of light, privacy or outlook to neighbouring properties by reason of its limited size and height. Concerns have been expressed with regards to the potential for noise and odour which would harm the amenities of adjoining properties. It is considered that there would be no significant increase in noise and odour from the resulting scheme than existing. Internal alterations where appropriate would be covered by building regulations. The scheme is considered acceptable in neighbour amenity terms.

8.4 Highway Safety

8.5 As existing the property has one off road car parking space to the rear of the property in the form of a garage, on street parking is also evident in the area. There is currently a neighbour dispute with regards to vehicular access to the rear of the properties. This is a private matter to be dealt with by the relevant persons involved. Public transport links to the town centre are good, with a bus stop located to the front of the terrace. It is considered that the scheme would not generate an increase in the amount of parking in the area that would be unduly detrimental to existing parking conditions in the area. The scheme is considered acceptable in highway safety terms.

8. HUMAN RIGHTS

- 8.1 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.

9. CONCLUSION

That the application be approved.

11. REASONS FOR APPROVAL

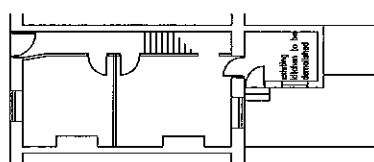
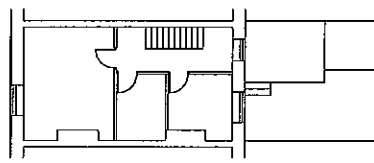
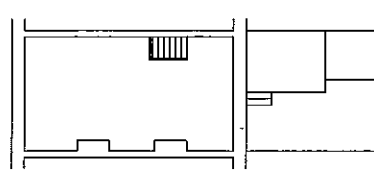
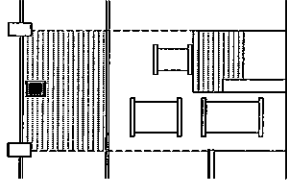
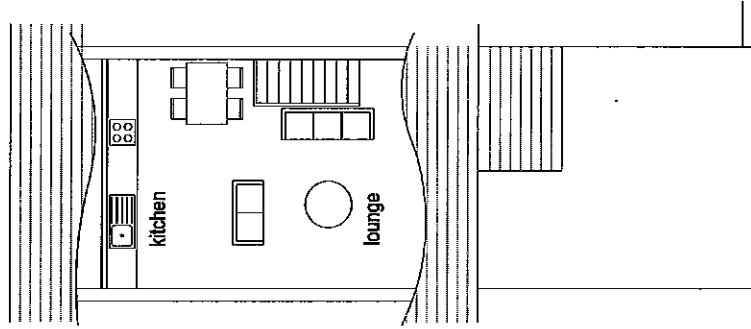
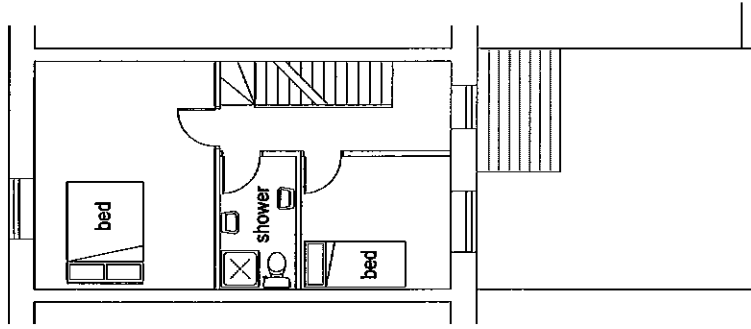
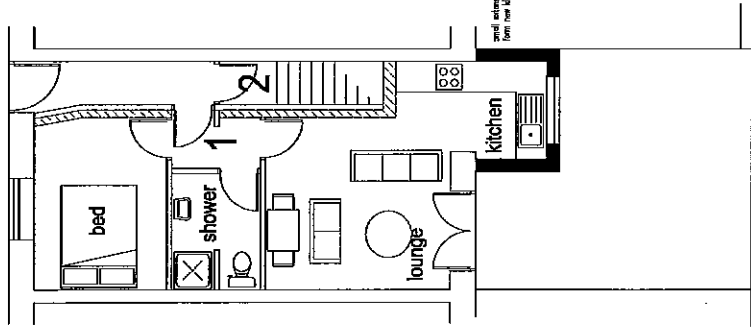
The proposal complies with the Interim Housing Policy Statement (December 2007) and is therefore acceptable in principle, would not harm the visual amenity of the surrounding area, would not harm the residential amenity of the occupiers of adjoining properties and would not be detrimental to highway safety. The proposed development has been considered against PPS1 Sustainable Development, Joint Lancashire Structure Plan Policy 7 – Parking, Saved Policies DS1 – The Urban Boundary, DC1 – Development Criteria and DC4 – Materials of the former Rossendale Local District Plan.

12. 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 development shall be carried out in accordance with amended plans dated 18/06/2008. *Reason : For the avoidance of doubt.*
3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.
Reason: To ensure that the development will be of satisfactory appearance, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.
4. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: *To safeguard the amenities of nearby residential properties, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

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second floor

first floor

ground floor

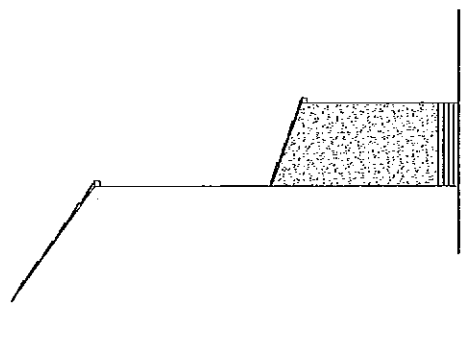
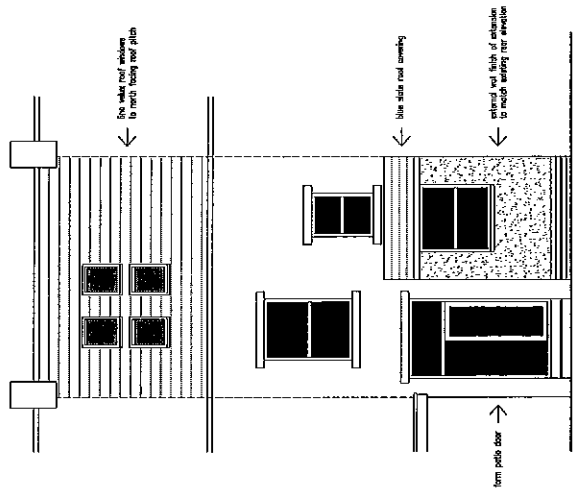
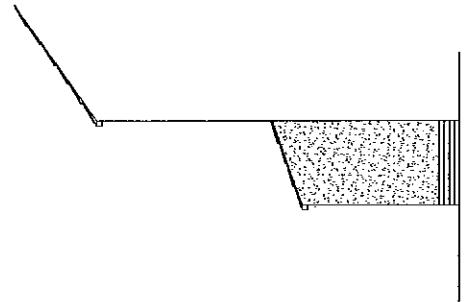
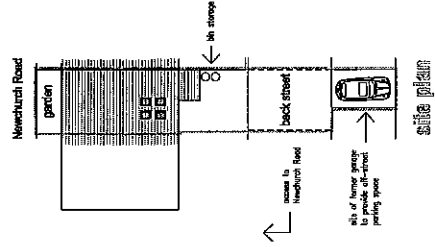
existing plans, elevation and section

proposed conversion into
2 self contained apartments including
small extension to rear elevation
at

550 Newchurch Road
Higher Cloughfold
Rossendale

scale 1:200 1:100 1:50 @ A1
0m 5m 10m
1:100 linear scale

Rae Connell Associates Building Design and Planning Consultants
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proposed elevations



29/05/2008



29/05/2008



29/05/2008