

<b>Application No:</b>	<b>2008/0424</b>	<b>Application Type:</b>	Full Application
<b>Proposal:</b>	<b>Retrospective - Change of use from shop/laundry to flat &amp; and for the siting of two Mobile Homes</b>	<b>Location:</b>	<b>Holden Mill House, Grane Road, Haslingden, Rossendale</b>
<b>Report of:</b>	Executive Director of Regulatory Services	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	1 September 2008
<b>Applicant:</b>	<b>Mrs G Tattersall</b>	<b>Determination Expiry Date:</b>	<b>22 August 2008</b>
<b>Agent:</b>	<b>Mr S Hague</b>		

## REASON FOR REPORTING

**More than 3 objections** Yes

### 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.

### Background

This application arises as a result of the change of ownership of the Holden Mill caravan site which was previously owned by the applicant and was granted on appeal on the 23 October 1991. The site has since been developed by another developer. The applicant now wishes to revert part of their dwelling which was converted to a shop and laundry unit to serve the caravan site back to a flat and for the retention of two static caravans.

## **APPLICATION DETAILS**

### **1. The Site**

- 1.1 The site was formerly part of the Holden Mill caravan park. It is located off Grane Road at the end of a single track tarmac road which leads on to a site under construction for park homes. The application site is a stone two storey former dwellinghouse and two static caravans situated in the garden area. The caravans are static and are green and cream in colour. The garden area to the former dwelling house has been landscaped both with hard and soft landscaping and the entrance is gated.

### **2. Relevant Planning History**

- 2.1 1990/581 - Siting of 29 no caravans – Approved on appeal 23/10/1991  
1996/492 - Minor changes to existing layout and the provision of an additional 10 no caravans – Approved 02/07/1997
- 2001/100 – Retention of residential caravan site as approved on 23/10/1991 with modifications to conditions 2 and 3 relating to occupancy and continued use of the site – Approved 08/05/2001
- 2001-330 - Continued use of the site for the accommodation of 55 no caravans and associated facilities including a shop laundry and manager's flat – Approved 16/01/2002

### **3. The Current Proposal**

- 3.1 This proposal seeks retrospective consent to convert the shop/laundry facility which is within the building to a single flat and for the retention of two static caravans. The applicant's agent has confirmed that the caravans and flat will be used to accommodate tenants of the applicants, similar to the previous use of the site.

### **4. Policy Context**

#### **4.1 National Planning Guidance**

PPS1 - Sustainable Development  
PPS3 – Housing

#### **4.2 Development Plan Policies**

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy  
Policy 5 - Development Outside of Principal Urban Areas, Main Towns and Key Service Centres  
Policy 7 - Parking  
Policy 20 - Lancashire's Landscapes

## Rossendale District Local Plan (Adopted 1995) Saved Policies

DS1 - Urban Boundary  
DC1 - Development Control  
DC4 - Materials

### **4.3 Other Material Planning Considerations**

LCC Parking Standards  
DCLG Manual for Streets

## **5. CONSULTATIONS**

### **5.1 INTERNAL CONSULTATIONS**

Forward Planning – No response to date.

Environmental Health Officer – “The Department has no objection or comments to make regarding the change of use from shop/laundry to flat. However, with regard to the siting of the two mobile homes, it will be necessary for the site to comply with the new Model Standards 2008 for Caravan Sites in England, and also necessary for the owner to make application to Environmental Health for a ‘site licence’ .”

These standards cover such issues as site boundaries should be marked by a man made natural feature, the spacing of caravans should not be positioned within 3m of the boundary of the site and every caravan must where practicable be spaced at a distance of no less than 6 metres apart.

### **5.2 EXTERNAL CONSULTATIONS**

Environment Agency – No objection but wishes to advise the applicant that the site is located at the edge of Flood Zone 3 which is defined as the high risk zone in Planning Policy Statement 25: Development & flood risk. The applicant should be aware that there may be a risk of inundation in an extreme flood event.

LCC Traffic and Safety - No highway comments

## **6. REPRESENTATIONS**

- 6.1** A site notice was posted on 8 July 2008 as shown on the site plan. 43 neighbours were notified by letter on 1 July 2008 and a further letter consultation by hand took place on the 31 July 2008 to residents on the Swinell Brook development. This has taken place to accord with the General Development Procedure Order and 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.

11 letters of representation have been received and make the following summarised comments:

- Potential for antisocial behaviour
- Noise nuisance
- Perceived increase in crime
- Loss of privacy

## **7. REPORT**

**7.1** The main considerations of the application are housing policy, visual amenity, residential amenity and highway safety.

### **7.2** Interim Housing Policy Position Statement

Criteria (d) is relevant in this case. The policy states that the provision of housing is appropriate where the site is located within the Urban Boundary and the number created is four or less. The application accords with this policy.

### **7.3** Visual Amenity

The application site has large grounds and has a two storey stone building within it and two static caravans. It is considered that the caravans detract from the visual amenities of the area in their proposed location and are unacceptable due to their proximity to each other forming a cramped form of development. Given the caravan park surrounding the site, on balance, the proposal is considered acceptable. Additionally, the conversion of part of the building to a further flat is also acceptable in design terms.

### **7.4** Residential Amenity

The site has a boundary wall which screens the caravans in part and due to their positioning within the curtilage, away from neighbours at the adjacent Park Homes site, it is considered that the proposed caravans would not give rise to a loss of light, privacy or outlook. However, future occupiers of the flat may suffer a loss of privacy by reason of overlooking due to the proximity of the caravans which are to be located 10.0m away. Further, the spacing of the caravans as proposed do not comply with the Model Standards 2008 for Caravan Sites in England: Caravan Sites and Control of Development Act 1960, however the Council's Environmental Health Officer has not objected to the proposal in terms of noise nuisance but would have a degree of control under this legislation.

### **7.5** Highway Safety

There are no highway issues to consider and no objections from the Highway Authority. The site has ample land with the former dwelling to accommodate several cars.

### **7.6** Representations

Representations received make comments in relation to the loss of privacy that could occur to future residents of the proposed flat and to antisocial behaviour as well as a perceived increase in crime and noise nuisance. The issues have

been covered above and there are no objections from the Environmental Health Officer with regard to potential noise issues.

## **8. CONCLUSION**

The proposed structure is considered acceptable in terms of its siting and its appearance.

## **9. RECOMMENDATION**

Permission is granted.

## **10. REASONS FOR CONDITIONS TO APPEAR ON THE DECISION NOTICE**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Required by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with plans received on 24 July 2008.

Reason: To ensure that the development complies with the approved plans and for the avoidance of doubt.

3. The caravans hereby approved shall not be used for holiday let purposes at any time. Reason: For the avoidance of doubt and to accord with the criteria of saved Policy DC1 (Development Criteria) of the Adopted Rossendale District Local Plan.

<b>Contact Officer</b>	
Name	Paul Talbot
Position	Planning Technician
Service / Team	Development Control
Telephone	01706 238637
Email address	planning@rossendalebc.gov.uk

# 1,600. SITE PLAN

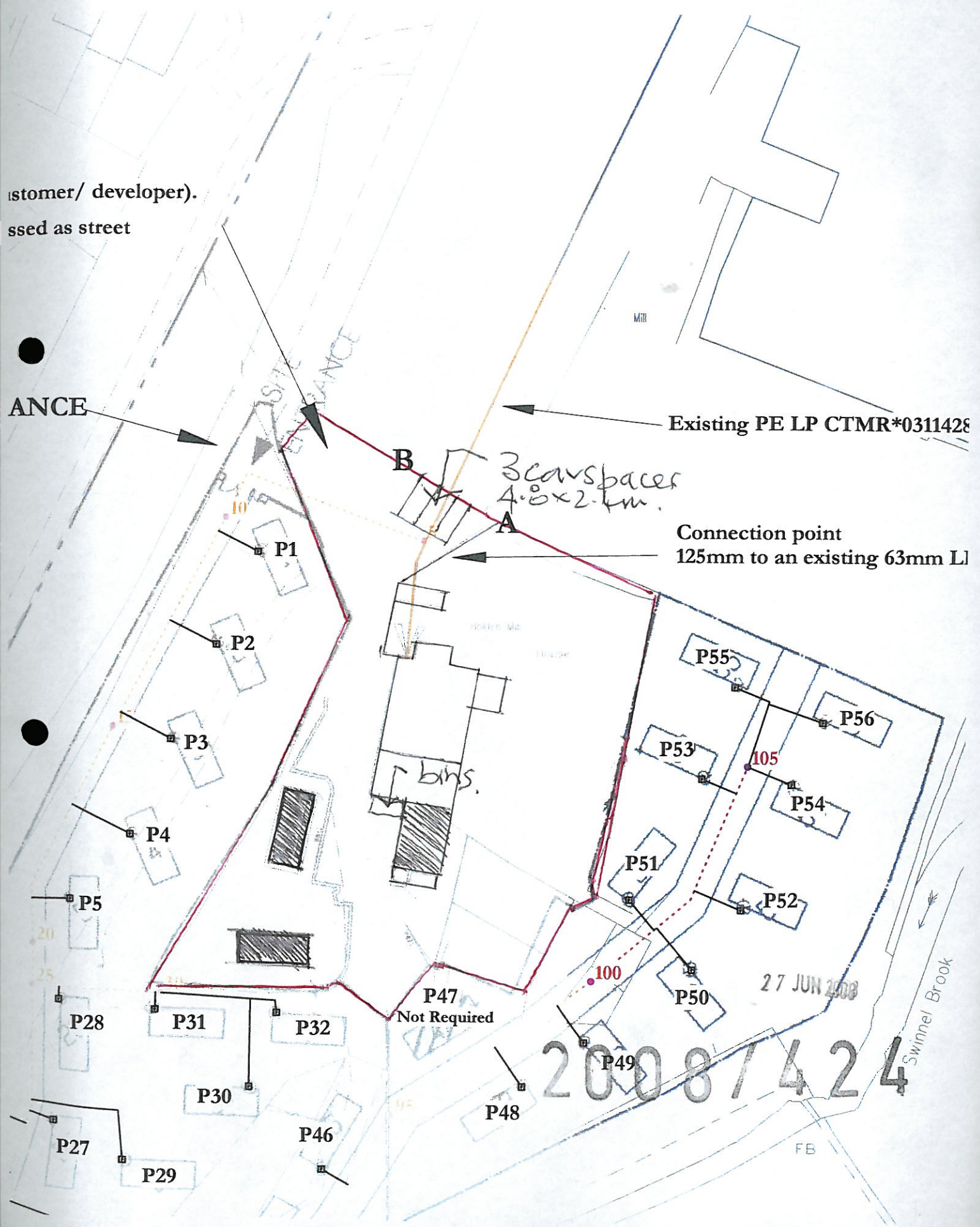
(customer/ developer).  
used as street

ANCE

Existing PE LP CTMR#0311428

3 cav spaces  
4.8 x 2.4m.

Connection point  
125mm to an existing 63mm LI



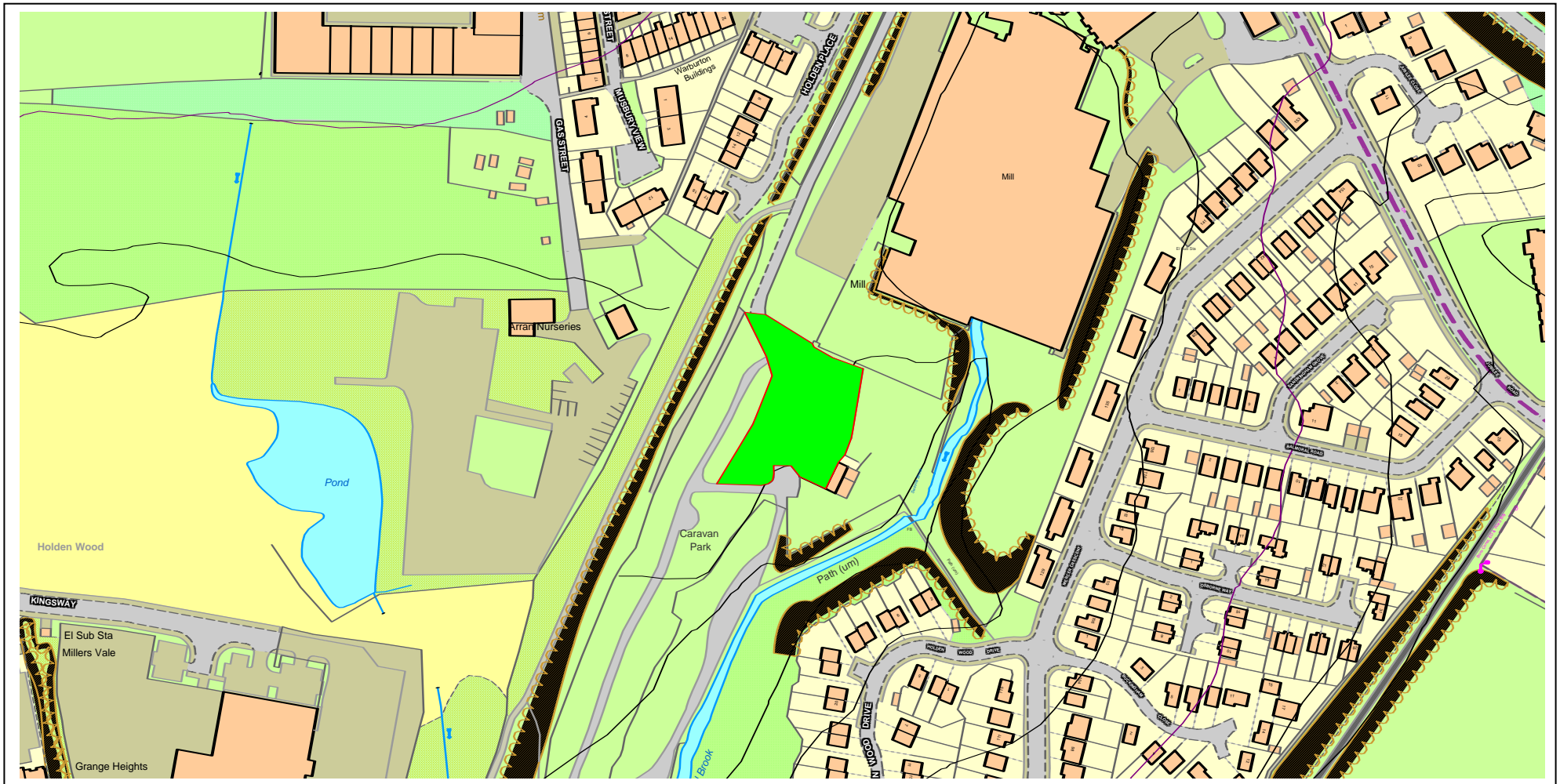
27 JUN 2008

20087424

Swinell Brook

FB

# Location 2008/0424



T