



**TITLE: 2005/571 RENOVATION OF EXISTING BUILDING TO FORM A HABITABLE DWELLING AT THE BUILDING ATTACHED TO RAVENSHORE FARM COTTAGE, HELMSHORE, ROSSENDALE.**

**TO/ON: DEVELOPMENT CONTROL COMMITTEE 22<sup>nd</sup> NOVEMBER 2005**

**BY: TEAM MANAGER DEVELOPMENT CONTROL**

**DETERMINATION EXPIRY DATE: 18<sup>TH</sup> NOVEMBER 2005**

**APPLICANT: MR & MRS HAWORTH**

**DETERMINATION EXPIRY DATE 18<sup>TH</sup> NOVEMBER 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 applicant seeks permission for the renovation of the existing building attached to Ravenshaw Farm Cottage, Helmsore to create a dwelling. The proposal site is within the Greenbelt.

### **Relevant Planning History**

None

### **Notification Responses**

Site notices were posted and one letter of objection has been received. The following issues were raised:

- Loss of privacy
- Loss of amenity
- Ownership of the property
- The questionable use of the building as a dwelling in the past.

## **Consultation Responses**

### Lancashire County Council Highways

No Objections

### Helmshore Residents Association

No replies

## **Development Plan Policies**

### Rossendale District Local Plan (Adopted 1995)

Policy DC.1 (Development Criteria)

Policy DS.1 (Urban Boundary)

Policy DS.3 (Green Belts)

Policy DS.5 (Development Outside the Urban Boundary and the Green Belts)

Policy T.4 (Car Parking)

### Joint Lancashire Structure Plan Adopted 2005)

Policy 1 (Development Framework)

Policy 5 (Development outside Urban Areas)

Policy 6 (Green Belts)

Policy 12 (Housing)

### Joint Lancashire Structure Plan Adopted Car Parking Standards (2005)

## **Housing Policy Position Statement**

1.1 Applications for residential development in Rossendale will be refused on housing land supply grounds, in all but the following limited circumstances:

- a) In any location where the proposal is a like for like replacement of an existing residential dwelling resulting in no net gain in dwelling numbers and which conforms to relevant policies of the development plan and other material considerations; or
- b) The proposal will positively contribute to the urban regeneration of the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative areas or the Rawtenstall Town Centre Masterplan (Area Action Plan); and
- c) the proposal will not harm the character of adjoining areas such as conservation areas and the setting of a listed building; and
- d) the proposal will assist the regeneration of the site; and
- e) the proposal meets an identified local housing need.

## **Other Material Planning Considerations**

### PPG 2 (Green Belts)

Paragraph 3.8 states that: *The re-use of buildings inside a Green Belt is not inappropriate development providing:*

*(a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;*

*(b) strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);*

*(c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and*

*(d) the form, bulk and general design of the buildings are in keeping with their surroundings. (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).*

### PPG 3 (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 of development on land.

Paragraph 22 states that *'The Government is committed to maximising the re-use of previously developed land...in order both to promote regeneration and minimise 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.

### Planning Issues

The location for the proposed development is within the green belt and therefore is contrary to Policy DS.1 of The Rossendale District Local Plan. The proposed development of a dwelling at this location is also contrary to Policy DS.5 of The Rossendale District Local Plan.

The change of use from a redundant building to a dwellinghouse in the green belt would be in accordance with Policy DS.3 of The Rossendale District Local Plan as the proposal is in agreement with the terms of National Green Belt Policy (PPG 2).

The proposed alterations to the above property would not look out of place within the locality subject to conditional control and therefore the proposal is in accordance with Policy DC.1 of The Rossendale District Local Plan

PPG3 promotes a sequential approach and although the conversion of buildings is considered to be most favourable the development of land for residential uses in greenfield locations should be minimal.

No off-street car parking spaces have been allocated for the proposed dwelling, which is contrary to policy T.4 of The Rossendale District Local Plan and The Lancashire County Council Adopted Car Parking standards (2005). However the Highways Authority have no objections to the proposal.

Another issue associated with this application is whether there is a requirement for new housing in the Borough based on the figures in The Joint Lancashire Structure Plan (2001-2016). Total housing completions between 1991 and September 2003 amounted to 1983 dwellings, leaving residual provision of 517 dwellings to be completed by 2006 based on the 2,500 figure in the Adopted Structure Plan specifies an annual average dwelling provision in the period 2001 to 2006 equivalent to 1090 dwellings. Total housing completions 2001 to September 2003 amounted to 431 dwellings. At the 1 April 2003 there were existing planning permissions for 1,606 dwellings. Therefore the County Planning Officer has concluded that there are sufficient residential planning permissions to meet Rossendale Borough Council's housing requirement to 2006 and that the proposed development would be contrary to Policy 12 of The Joint Lancashire Structure Plan (2001-2016)

In addition, the proposed development would be contrary to The Housing Policy Position Statement (as approved by executive committee August 2005) as the proposed development does not fall within the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative area or contribute to the Rawtenstall Town Centre Masterplan. The proposal would not meet an identified local housing need and would lead to an overall net gain in housing numbers, contrary to policy.

An objection was received from a neighbour detailing how approval for the above proposal would lead to a loss of neighbour amenity and privacy.

### **Recommendation**

That Planning Permission is refused for the following reason:

### **Conditions**

1. It is considered that the proposed 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. The proposal would be contrary to the Rossendale Borough Council Housing Policy Position Statement and Policy 12 of The Joint Lancashire Structure Plan.

### **Local Plan Policies**

DC.1  
DS.1  
DS.3  
DS.5  
T.4

### **Structure Plan Policies**

Policy 1  
Policy 12