

<b>Application Number:</b>	2011/289	<b>Application Type:</b>	Full
<b>Proposal:</b>	Erection of Split Level dwelling	<b>Location:</b>	Oakenclough Farm, Oakenclough Road, Bacup
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	13 September 2011
<b>Applicant:</b>	Mr C Worswick	<b>Determination Expiry Date:</b>	22 August 2011
<b>Agent:</b>	Hartley Planning & Development Associates Ltd		

<b>Contact Officer:</b>	Rebecca Taylor	<b>Telephone:</b>	01706-238640
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**REASON FOR REPORTING**

**Tick Box**

**Outside Officer Scheme of Delegation**

**Member Call-In**

Name of Member:

Reason for Call-In:

**3 or more objections :**

**YES**

**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.

	<b>RECOMMENDATION(S)</b>
	Approval, subject to the conditions detailed in Section 9 of the report.

## APPLICATION DETAILS

### 1. SITE

The application relates to a broadly rectangular plot of land to the east of the Applicant's house, a 2-storey stone-built property, known as Oakenclough Farm.

Measuring approximately 70m in length and between 7m and 20m in width, it falls in level from the unadopted lane running to its north side down to the stream running along its southern boundary. That part of the site immediately to the side of the applicant's house has been levelled, hard-surfaced and made available as parking. Immediately to the rear of this parking area the land is much lower and accommodates an outbuilding previously used as stables, whilst immediately to its east is the manure store (of blockwork construction). That half of the site to the east of the manure store is of 'natural' appearance, sloping steeply down to the stream and is grassed/wooded.

The unadopted lane running to the north side of the site is a public footpath and serves a handful of nearby residential properties and farms in the open countryside extending to the east. Whilst not all of these residential properties have off-street parking to meet their own needs the house immediately opposite the parking area within the application site is set well back and fronted by an area for off-street parking that meets modern parking standards.

The applicant's house, approximately half the parking area to its east side and the outbuilding previously used as stables are situated within Urban Boundary of Bacup. However, the other half of the applicants parking area, the midden and land to the east of it are situated within the Countryside.

### 2. RELEVANT PLANNING HISTORY

1990/718 Conversion of disused barn as extension to existing farmhouse to form a granny flat, extension of residential cartilage and erection of stables  
Approved

### 3. THE PROPOSAL

The applicant seeks permission to erect a split-level dwelling to the side of their own house, to occupy that half of the parking area within the Urban Boundary and requiring demolition of the outbuilding previously used as stables. The half of the parking area within the Countryside would be modified and extended over the area presently occupied by the midden to provide 5 parking spaces and bin-storage for use by the applicant and occupiers of the new dwelling.

The proposed dwelling will appear 1-storey as viewed from the front, but 2-storey as viewed from the rear, and is to possess 2 bedrooms. It will be sited approximately 4m from the boundary with Oakenclough Farm, 1m from the access track at the closest point and 3m from the stream.

It will be constructed of natural stone and blue slate to complement the surrounding properties, with a balcony on the south west corner at first floor level. The southern elevation would be heavily fenestrated with double doors onto the balcony and a door at ground floor.

#### 4. **POLICY CONTEXT**

##### **National**

PPS1 Sustainable Development  
PPS3 Housing  
PPG13 Transport

##### **Development Plan**

###### **Regional Spatial Strategy for the NW of England (2008)**

DP1-9 Spatial Principles  
RDF1 Spatial Priorities  
RDF2 Rural Areas  
L 4 Regional Housing Provision  
RT2 Managing Travel Demand  
RT4 Management of the Highway Network  
EM1 Environmental Assets

###### **Rossendale District Local Plan (1995)**

DS1 Urban Boundary  
DS4 Outside Urban Boundary  
DC1 Development Criteria

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

Draft National Planning Policy Framework (2011)  
RBC Submitted Core Strategy DPD (2010)  
RBC Interim Housing Policy Statement (2010)

#### 5. **CONSULTATION RESPONSES**

##### **LCC Highways**

No objection. Initially expressed concern about the submitted parking layout, but has been addressed by amendment.

#### 6. **REPRESENTATIONS**

To accord with the General Development Procedure Order two site notices were posted on 6/07/11 and 7 neighbours were notified by letter on 27/07/11.

A petition bearing signatures of residents of 4 nearby properties raises concerns about the quality and width of the access, and with site construction traffic which could block the track and cause inconvenience to neighbours.

#### 7. **ASSESSMENT**

The main considerations of the application are: 1) Principle; 2) Housing Policy; 3) Visual Amenity; 4) Neighbour Amenity; & 5) Access/Parking.

##### **Principle**

The proposed dwelling will be within the Urban Boundary. Whilst a part of the resulting car

park will be within the Countryside this area is already hard-surfaced or occupied by the midden (which has blockwork walls of approximately 1.5m in height. Accordingly, the proposal will not serve to erode the essentially open and rural character of the Countryside to a significant extent.

### Housing Policy

As the dwelling is to be in the Urban Boundary of Bacup the Council's Interim Housing Policy Statement indicates new residential development will be encouraged where the proposed development:

- uses existing buildings/previously developed land; &
- makes an essential contribution to the supply of affordable housing; &
- will be built at a density of between 30 and 50 dwellings per hectare; or
- is for solely affordable and/or supported housing.

In relation to the above criteria the land to be occupied by the new dwelling is considered to be previously-developed. As only one dwelling is proposed there is no requirement for it to be affordable. Having regard to the site constraints the proposed density is considered acceptable.

### Visual Amenity

The proposed dwelling will appear 1-storey as viewed from the front and is to be of facing materials that match the surrounding properties. Whilst public view of the eastern gable will reveal the dwelling to be of more than 1-storey in height, it will nevertheless appear of modest scale and compliment the neighbouring Oakencrough Farm.

Likewise, I am satisfied that the resulting parking area will not appear unduly prominent or intrusive.

### Neighbour Amenity

The objectors have not taken exception to the proposal due to the siting/size/design of the proposed dwelling and I am satisfied that it will not detract to an unacceptable extent from the amenities of any neighbours.

The scheme is considered acceptable in terms of neighbour amenity.

### Access/Parking

The objectors main concerns relate to the adequacy of the access to serve a further dwelling and, most particularly with construction traffic.

The Highway Authority has no objection to the scheme subject modification and extension of the existing parking area to provide the 5 off-street parking spaces and bin-storage for use by the applicant and occupiers of the new dwelling indicated.

I can appreciate objectors concerns about construction traffic, such is the width of the lane and on-street parking by residents that takes place here. However, this temporary inconvenience would not, in my view, justify refusal of the application.

## **8. SUMMARY REASON FOR APPROVAL**

The proposed development within the Urban Boundary is appropriate in principle and that within the Countryside will not unduly erode its essentially open and rural character of the

Countryside to a significant extent. Nor will the development detract from visual and neighbour amenity or highway safety. The development has been considered most particularly in light of PPS1/PPS3/PPS7/PPG13, Policies RDF1/RDF2/L4/RT2/RT4/EM1 of the Regional Spatial Strategy, Policies DS1/DS4/DC1 of Rossendale District Local Plan, and the Council's Interim Housing Policy (2010).

## 9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development shall be carried out in accordance with the drawings date stamped 27/06/11 and the amended plans received 21/07/11, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.  
Reason: To ensure the development complies with the approved plans and to protect visual and neighbour amenity, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.
3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application forms and approved drawings and shall not be varied unless otherwise first agreed in writing by the local planning authority.  
Reason: To ensure that the development will be of satisfactory appearance, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.
4. Prior to first occupation of the dwelling hereby permitted the parking area on the approved drawing shall be provided with a hard permeable surface and thereafter kept freely available for use as such.  
Reason: In the interests of highway safety, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.
5. Notwithstanding what is shown on the approved plans, the curtilage of the dwellinghouse hereby permitted shall not include the parking area or land to the south and east of it.  
Reason: For the avoidance of doubt and to safeguard the character and appearance of the Countryside, in accordance with Policy RDF2 of the Regional Spatial Strategy and Policies DC1 of the Rossendale District Local Plan
6. 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 neighbours, in accordance with Policy DC1 of the adopted Rossendale District Local Plan.