

Application Number:	2012/311	Application Type:	Full
Proposal:	Change of Use of Bed and Breakfast to a Specialist Alcohol & Drug-Dependency Recovery Home for a period of 2 Years	Location:	Glen Valley Guest House, 634 Bacup Road, Waterfoot
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	28/08/2012
Applicant:	Ms S Hanson	Determination Expiry Date:	17/08/2012
Agent:			

Contact Officer:	Rebecca Taylor	Telephone:	01706-238640
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input type="checkbox"/>
Member Call-In Name of Member: Reason for Call-In:	<input type="checkbox"/>
3 or more objections received	
Other (please state):	Potentially Controversial

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. RECOMMENDATION

That a Temporary Permission be granted subject to the Conditions set out in Section 11 of the Report.

2. UPDATE

Members will recall that this application was first considered at Committee on 17 July 2012. The Committee decided to defer the application in order that further consultation could be undertaken.

Members will also recall that in addition to the one objection referred to in the Committee Report, the Update Report advised 9 further letters of objection had been received. These letters raised the following concerns :

- There are enough drug users and alcoholics in Waterfoot and they might commit crimes to fund their habits.
- It will create an unsafe environment
- Request that a wider consultation should have been carried out and the development description more detailed
- It is of concern to nearby licensed premises business and customers
- Brighton House caused problems in the past
- Wherever the development is located it should not be in Waterfoot
- Impact upon local schools and security of children
- The potential conflict between the proposed user group and those with disabilities/learning difficulties living in Waterfoot
- The use is not compatible with nearby residential properties and put people at risk. These uses should be located away from residential properties in isolated locations.
- There must be other sites available where there would be fewer issues.
- Insufficient parking.
- Two previous supported housing schemes in the area have caused problems.
- Future implications on the legacy of Waterfoot.
- The building could be used to promote tourism in the area if left as a guest house.
- There is a school close by.
- There is a lack of information within the application with regards to such things as ages, genders, background information of likely residents, what restrictions would be placed on residents, supervision, likely turnover of residents.

A further verbal update at the meeting on 17 July advised that 6 further letters had been received following circulation of the Update Report raising the following additional concerns (one from a neighbour who had previously written in) :

- Other sites within the borough would be more appropriate
- Removes tourism space within Waterfoot
- Insufficient car parking and resulting highway safety concerns
- Damage to kerb and lack of manoeuvring space on site
- That the development should be properly managed – want assurances that at the end of the two years this property does not go into private ownership
- Will attract similar schemes to the area and make them difficult to refuse
- Flood risk that could lead to the property being unusable during the 2 years
- Object on the basis that the use class was not confirmed from the outset

Since then the applicant has put in place the following consultation programme on the application proposal in addition to that previously carried out :

- Extensive leaflet drop and poster delivery across the areas of Waterfoot, Edgeside, Cowpe, Newchurch, Lumb, Piercy, Lower Whitewell Bottom and Booth Road (up to Four Lanes End).
- 2 drop-in sessions in Waterfoot main car park and Edgeside Park, respectively on the 4th and 11th August, a Stand at the Coop on the 17th August and a public meeting on the 20th August.
- Engagement events advertised through a number of websites including Rossendale Borough Council; What's on in My Area; various Twitter and Facebook accounts as well as through the REAL Community Database.

In addition, the planning application itself has been re-advertised by Officers with an amended proposal description to assist with clarity as to precisely what use is proposed for the site.

As a result of the above the Council has received a further 5 responses to those considered by the Committee on the 17 July 2012. All of these responses provide support for the proposals on the basis:

- It will benefit local people who need the help
- Everyone deserves a second chance
- People have a right to live where they please without prejudice.

Having regard to the extensive consultation undertaken, there are no new representations that change the advice of Officers from the recommendation of Approval subject to the Conditions set out in the previous Report and reproduced below.

3. APPLICATION SITE

The application relates to a 2-storey building on the corner of Bacup Road / Spring Garden Street. Formerly a public house, it is now a 7-bedroomed guest house with living accommodation for the proprietor. Its front elevation faces the main road and is of stone construction, under a pitched slate roof.

Although the building was originally detached it has been extended to the rear, which connects it to the works building on Ashworth Street. To the east side of the building is private amenity space/parking area, overlooked by residential flats that front Ashworth Street. This amenity space/parking area is accessed through a double gate on Bacup Road which leads on to an area of hardstanding for the parking/turning of two vehicles.

properties to side and rear being residential and a commercial property immediately to the rear. The property is approximately 100m from Waterfoot town centre, with its retail/commercial premises and public car parks, and is surrounded by a mix of uses, residential in the majority.

4. RELEVANT PLANNING HISTORY

- 2006/342** Change of Use of 634 Bacup Road from dwelling to B&B accommodation and erection of dwelling
Refused
- 2005/203** Change of Use from Pub to dwelling & erection of conservatory
Approved
- 2004/858** Single Storey Extension
Approved
- 2004/611** Use of public house and beer garden as dwelling with garden
Approved
- 2003/563** Change of use of first floor of pub to form 7 B&B rooms
Approved

5. THE PROPOSAL

The applicant seeks permission for the change of use of Glen Valley House from a Bed & Breakfast to a supported housing scheme for a period of 24 months.

There would be no external alterations to the property or internally in terms of the room layout. The property would be occupied by up to 7 individuals, one of which would be a member of staff and the people in need of a supported abstinence house for recovering alcoholics and drug users for periods of 3-6 months. The occupants would live together as a family, eating and socializing as a group rather than independently.

The applicant has provided details of pre-application consultation which included a drop in session, presentation and visit to property in Stockport used for similar purposes for neighbours. Based on the responses the applicant has listed the actions and amendments taken to address the concerns raised (see attachment).

6. POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (2012)

Section 1 Building a strong, competitive economy

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 11 Conserving and enhancing the natural environment

Development Plan

Regional Spatial Strategy for the North-West of England (2008)

Policy DP1-9 Spatial Principles

Policy RDF1 Spatial Priorities

Policy W1 Strengthening the Regional Economy

Policy W3 Supply of Employment Land

Policy L3 Existing Housing Stock and Housing Renewal

Policy L4 Regional Housing Provision

Policy RT2 Managing Travel Demand

Policy RT4 Managing the Highway Network

RBC Core Strategy DPD 2011

Policy 1 General Development Locations and Principles

Policy 2 Meeting Rossendale's Housing Requirement

Policy 3 Distribution of Additional Housing

Policy 4 Affordable & Supported Housing

Policy 8 Transport

Policy 16 Preserving & Enhancing the Built Environment

Policy 23 Promoting High Quality Designed Spaces

Policy 24 Planning Applications Requirements

Other Material Planning Considerations

Strategic Housing Market Assessment (2008)

7. CONSULTATION RESPONSES

LCC Highways

No Objection

RBC Environmental Health

The premises would not require licensing as a HMO. It considers that there would be no increase in noise or nuisance as it is in line with the current numbers of people using the premises.

Police

On the grounds of the personal safety/reducing fear of crime for the staff and residents, and also to reduce the incidents of crime and anti-social behaviour, would strongly recommend in this instance it be made a condition of the application that a CCTV system be fitted both inside the property and externally covering the entrance/exit door; an NSI or SSAIB accredited engineer would advise on placement and angle of the cameras, which need to be 100% capable of providing clear head and shoulders close-ups for identification purposes and of the general scene, with a 30 day recording retention period, and with clear signage indicating the CCTV system is in operation, to also act as a deterrent to crime and anti-social behaviour.

8. REPRESENTATIONS

To accord with the General Development Procedure Order 2 site notices were initially posted on 22/06/12 and 30 neighbours notified by letter on 22/06/12.

As a result one letter of objection was received (from the owner of the Stott's Buildings), expressing the following concerns :

- Invested in Waterfoot and the proposed tenants would detract from the area.
- A similar development for delinquents at Baltic House caused neighbour issues with crime to individuals and property
- The nearby Brighton House was used for people with mental health issues which resulted in crime, police involvement and much damage to the environment in Waterfoot
- The site will not be effectively policed.

Three letters of support were also received.

9. ASSESSMENT

The main considerations of the application are :

1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; and 4) Access/Parking

Principle

Paragraph 50 of the NPPF states that planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Policy 4 of the adopted Core Strategy DPD states that supported housing will be achieved by actively supporting proposals, particularly for elderly accommodation and care provision for those with physical disabilities, learning difficulties and mental health needs. Paragraph 205 of Policy 4 states that supported housing is available to people with a wide range of support needs including those with alcohol and/or substance misuse problems, such is the case with this planning application. Policy 1 seeks to locate new development within the Urban Boundary and in sustainable locations close to quality public transport routes and other facilities.

The applicant has highlighted that there is a need for this type of accommodation based on a number of sources. The Rossendale Strategic Housing Market Assessment also highlights a need for such development.

This proposal is located within the Urban Boundary, relating to a building fronting a main road and in an area of mixed use near to Waterfoot town centre and a quality bus route. Therefore it is acceptable in principle.

Visual Amenity

There are no external alterations proposed at the property. Consequently, the proposal is acceptable in terms of visual amenity.

Neighbour Amenity

The scheme would not unduly impact on sunlight, outlook or privacy experienced by occupiers of neighbouring properties as the building would not be extended or have any material external alterations. The property can currently operate as a bed and breakfast and the change does not alter the location of habitable rooms or door/window positions.

The bed and breakfast has been in use on the site and the Council has no record of complaint and no neighbours have commented on this application to suggest there has previously been any undue disturbance caused by users of the Bed and Breakfast or the toing and froing of people associated with it. The number of individuals residing at the property under this planning application would be no greater than could occupy the guest house. Occupancy in both cases may vary when some rooms are empty but total number of users would be reduced under this permission.

The occupiers would be recovering alcoholics and drug users and as such management of the site to ensure neighbours can continue to enjoy an acceptable standard of living is necessary. Internal CCTV is proposed and does not require permission. The police has requested external CCTV is installed. External CCTV can be erected under permitted development if necessary.

The scheme is considered acceptable in terms of neighbour amenity.

Access/Parking

The development does not impact adversely upon existing access and parking arrangements. LCC Highways has no objection to the scheme.

10. SUMMARY REASON FOR APPROVAL

The temporary alcohol and drug user recovery centre for which permission is sought is not considered inappropriate in principle in this edge of Town Centre location and, subject to the conditions, will not detract to an unacceptable extent from neighbour amenity or highway safety. It is considered that the development is in accordance with Section 6 / 7 / 11, Policies DP1-DP9 / RDF1 / RDF2 / RT2 / RT4 / EM1 of the Regional Spatial Strategy, Policies 1 / 2 / 3 / 4 / 8 / 16 / 23 / 24 of the adopted Core Strategy DPD 2011, and the Council's Conversion and Re-Use of Existing Buildings in the Countryside SPD (2010).

11. 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 Local Planning Authority shall be provided with written notification of the date at which use as hereby permitted is first commenced and shall cease to use the premises as such within 2 years of the date of commencement.

Reason: In accordance with the permission hereby sought and in order for the use to be monitored and assessed in the interests of neighbour amenity and public safety

3. Notwithstanding the provisions of Schedule 2 Part 33 of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending, revoking or re-enacting that Order, the system of external CCTV cameras to be installed shall be submitted to and approved in writing by the Local Planning Authority. Prior to first use of the building as a Alcohol & Drug-Dependency Recovery Home the approved scheme shall be implemented and thereafter retained in operation for so long as this use of the premises continues.

Reason: In the interests of neighbour amenity and to design out crime, in accordance with public safety and Policy 24 of the adopted Core Strategy DPD.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any order amending, revoking or re-enacting that Order, the building which is subject of this permission shall be used solely as an Alcohol & Drug-Dependency Recovery Home, and shall not be used for any other purpose including any other use contained within Use Class C2 of the above mentioned Order.

Reason: To control future users of the development, in the interests of neighbour amenity and public safety, in accordance with Policy 24 of the adopted Core Strategy DPD.