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| <b>Application Number:</b> | 2012/395                                    | <b>Application Type:</b>          | Full                        |
| <b>Proposal:</b>           | Conversion of Public House to two dwellings | <b>Location:</b>                  | The Buck, Cowpe Road, Cowpe |
| <b>Report of:</b>          | Planning Unit Manager                       | <b>Status:</b>                    | For Publication             |
| <b>Report to:</b>          | Development Control Committee               | <b>Date:</b>                      | 18 September 2012           |
| <b>Applicant:</b>          | Mr N Adamthwaite                            | <b>Determination Expiry Date:</b> | 28 September 2012           |
| <b>Agent:</b>              | GBS Design Services                         |                                   |                             |

|                         |                                   |                   |              |
|-------------------------|-----------------------------------|-------------------|--------------|
| <b>Contact Officer:</b> | Rebecca Taylor                    | <b>Telephone:</b> | 01706-238640 |
| <b>Email:</b>           | rebeccataylor@rossendalebc.gov.uk |                   |              |

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

## 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 the application be approved subject to the conditions set out in Section 10 of the Report

## 2. SITE

The application relates to the 'The Buck' which is a now-vacant public house located midway along Cowpe Road and the associated car park, which is on the opposite side of the road and approximately 50m to the north west.

The pub is surrounded by terraced houses. It forms part of 'Asten Buildings' which consists at present of three terrace properties and the pub, each with a small rear yard.

The property is of traditional stone/slate construction to the front, with the side and rear finished with render. The front elevation of the building is relatively attractive with timber sliding sash windows at first floor and 12-pane windows at ground floor, with stone surrounds. There is a single storey extension to the rear and a raised patio (previously used as a beer garden) bounded by a timber fence. The rear of the property can be accessed via a passage down the side, which is also used for bringing bins from the rear of the property for collection.

Cowpe Road is relatively narrow with a number of pinch points. There is unrestricted on-street parking outside the property. The pub car park is able to accommodate 20+ cars, but at the head of the steps at its south-eastern end is a planting bed that causes people to step out into the carriageway as there is no footway.

The pub forms part of the ribbon of development extending down Cowpe Road designated as Countryside under Policy 1 of the adopted Core Strategy DPD and illustrated on the Proposals Map 2011.

### **3. RELEVANT PLANNING HISTORY**

None

### **4. THE PROPOSAL**

The applicant seeks permission to convert pub into 2 residential units, one to have 2 bedrooms and the other 3 bed.

There would be minor alterations to the property, including :

- Installation of a new door and timber sliding sash window at first floor in the front elevation
- Three new windows to the rear and replacement of the existing door
- 4 parking spaces within the pub car park designated for use by occupiers of the proposed dwellings

In support of the application the Agent has made the following points :

- The pub is currently running at a substantial loss, evidenced by the financial accounts provided.
- The pub has been marketed for over 6 months with no interest, evidenced by the applicants selected estate agent.
- To attract customers the pub has been promoted in a monthly newsletter delivered to 240 houses in Cowpe, advertised locally in the free press, used social media, updated A-board outside the pub, put up posters around Rossendale, provided food, held various events and welcome a variety of user groups. Example of newsletter and press article provided.
- The applicant has tried to diversify by investigating opening the pub as a B&B and also provided a shop selling convenience goods in the pub but this had no customers.
- Many pubs have closed down or have changed use due to the current trend of people drinking at home.

### **5. POLICY CONTEXT**

#### **National Planning Guidance**

National Planning Policy Framework (2012)

Section 4 Promoting Sustainable Transport

Section 6 Delivering a Wide Choice of High Quality Homes

Section 7 Requiring Good Design  
Section 8 Promoting Healthy Communities  
Section 11 Conserving and Enhancing the Natural Environment

### **Development Plan**

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

Policy DP1-9 Spatial Principles  
Policy RDF1 Spatial Priorities  
Policy L4 Regional Housing Provision  
Policy RT2 Managing Travel Demand  
Policy RT4 Management of the Highway Network  
Policy EM1 Environmental Assets  
Policy EM5 Integrated Water Management

#### **Rossendale Core Strategy DPD (2011)**

AVP3 Waterfoot, Lumb, Cowpe and Water  
Policy 1 General Development Locations and Principles  
Policy 2 Meeting Rossendale's Housing Requirement  
Policy 3 Distribution of Additional Housing  
Policy 4 Affordable and Supported Housing  
Policy 7 Social Infrastructure  
Policy 8 Transport  
Policy 9 Accessibility  
Policy 17 Rossendale's Green Infrastructure  
Policy 18 Biodiversity, Geodiversity and Landscape Conservation  
Policy 23 Promoting High Quality Designed Spaces  
Policy 24 Planning Application Requirements

### **Other Material Planning Considerations**

RBC Alterations & Extensions to Residential Properties SPD (2008)

## **6. CONSULTATION RESPONSES**

### **LCC (Highways)**

No Objection

LCC Parking standards indicated that the proposed dwellings should have 4 off-street parking spaces. These have been shown on the nearby car park, but it would be concerned if future development of the car park resulted in their loss as vehicles would be displaced onto the highway.

A cycle store should be provided at the properties.

## **7. REPRESENTATIONS**

To accord with the General Development Procedure Order a site notice was posted on 10/8/12 and 14 neighbours were consulted by letter on the 09/8/12.

Three objections to the development have been received. The concerns expressed are summarised below:

- The pub is the only pub in Cowpe and it would be a shame to allow its conversion.

- As a resident of Cowpe and an active member of the Cowpe Bottle Fund, a committee that operated from the pub organising fundraising events and social events for the villagers of Cowpe, I feel like we have lost the hub of our community.
- Feel pub closed as it was not an inviting and hospitable environment - customers complained of being too cold - and the owners lacked experience.
- Based on past popularity with walkers, tourists and locals, and because the pub was sold as a freehouse, the selling of real ales and good food would make a viable business.
- The application should be refused until the pub has been marketed at a reasonable price for a reasonable length of time - marketing of the property at £195,000 seems unreasonable for a pub said to be running at a substantial loss and is understood to be more than it was last bought for.
- Kearns Mill will provide more housing and these houses will create parking issues.

Two letters of support have been received stating the following:

- The owners tried a number of methods of adding to custom including live music, food and quizzes. The pub has failed to provide a living for many years.
- As I live next to the pub it worries me with regard to security issues with it being boarded-up

## 8. ASSESSMENT

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

### Principle

In accordance with Paragraph 70 of the National Planning Policy Framework, Policy 7 of the adopted Core Strategy resists the loss of social infrastructure (including pubs, post offices, community halls, etc) to other uses unless a strong case can be made. It states :

“All the following factors will be considered when assessing applications:

- The availability of alternatives within 15 minutes travelling time by non car modes
- The financial viability of the existing use
- The results of marketing the site for existing or other community uses for a minimum period of six months
- Whether it is possible for the community facility to be retained in the same locality, but combined with another use
- Significance of loss on the local community”

The Agent has detailed a wide range of media that has been utilised to try to attract custom to the pub, including local press, twitter and facebook, which is considered to have a wide reach. Information has also been given on efforts to diversify the business. The submission also refers to there being 7 other public houses within walking distance of the application site, as well as the community hall that is used for social functions. I am satisfied that there are alternatives within 15 minutes travel-time by non-car modes.

The Agent has submitted details of the marketing strategy and states that there has been no interest in the pub, confirmed by a statement from Jenics (specialist property group). The property has been advertised for over 6 months with no interest. The viability assessment submitted demonstrates the current losses and predicted losses of the business.

Some neighbours have raised concerns about the experience/commitment of those involved in running the pub. I am aware of other pubs that are struggling to survive though better placed than this to pick up passing trade. It is considered the evidence submitted by the applicant is sufficient to suggest acceptable attempts were made to try to make the pub viable. The price the pub was

marketed at appears acceptable when viewing the price of other pubs nearby currently being marketed.

Considering the information submitted in relation to the criteria of Policy 7 of the adopted Core Strategy DPD the conversion of the pub is acceptable in principle.

#### Housing Policy

Policy 3 of the Core Strategy states that minimal houses will be built in smaller and isolated settlements. The proposal is a conversion of an existing building and, as it would create only 2 residential properties, there is no requirement that the housing be affordable.

#### Visual Amenity

There would be some minor alterations to the front and rear elevations of the building. I am satisfied that they will not unduly detract from the character of the property. A condition is recommended to ensure the new doors and window-frames are of consistent design/materials with the existing ones.

#### Neighbour Amenity

The proposed development would be compatible with neighbouring uses. The scheme entails no extension and, consequently, would not impact on sunlight or outlook of neighbours. In respect of privacy, the scheme does entail formation of additional door and window opening that face the house opposite, but at a distance no nearer than at present. Accordingly, the scheme is considered acceptable in terms of neighbour amenity.

#### Access/Parking

LCC Highways has no objection in principle. The car park will have two allocated spaces for each property. It is important these spaces are conditioned to ensure they are provided/retained for use by the proposed properties, and that the obstruction in the footway presented by the nearby planting bed is removed. The yard area to the rear enables occupiers/owners to store cycles securely. Subject to the conditions the scheme is considered acceptable in terms of access/parking.

### **9. SUMMARY REASONS FOR APPROVAL**

The proposed development is considered appropriate in principle and, subject to the conditions, it is considered that it will not result in unacceptable detriment to visual & neighbour amenity or highway safety, having regard to the NPPF (2012) and Policies 1 / 7 / 8 / 9 / 16 / 24 of the Council's adopted Core Strategy DPD (2011).

### **10. RECOMMENDATION**

That the application be permitted subject to the following conditions.

#### **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 the drawings date stamped 09/08/2012, windows in the front elevation shall remain with the new window installed in the

front elevation being timber sliding sash to match, unless otherwise required by the conditions below or otherwise first agreed in writing by the Local Planning Authority.

Reason: To accord with the permission sought.

3. Prior to first occupation of the dwellings hereby permitted :
- a. the planting bed to the east side of the steps to the car park shall be removed and the footway of Cowpe Road extended over this area in accordance with the standards and specifications of LCC Highways; &
  - b. the parking spaces shown on the approved drawing (and the access thereto) shall be clearly marked for use by residents and visitors of the dwellings hereby permitted and thereafter kept freely available for use as such.

Reason: In the interests of highway safety, and to accord with Policies 1, 8 and 24 of the Council's Core Strategy DPD (November 2011).