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| Application Number: | 2013/0531 | Application Type: | Full Application |
| Proposal: | Conversion of dwelling into 3 self contained flats | Location: | 2 The Square, Newchurch |
| Report of: | Planning Unit Manager | Status: | For Publication |
| Report to: | Development Control Committee | Date: | 21 January 2014 |
| Applicant: | Mr N. Adamthwaite | Determination Expiry Date: | 15th January 2014 |
| Agent: | Mr Sheldon Walsh | | |

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| 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 | <input type="checkbox"/> 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.

1. RECOMMENDATION

That Committee grant Permission subject to the Conditions set out in Section 10.

2. SITE

The application relates to a 2-storey building, of natural stone and slate construction, that is bounded on 3 sides by roads - to the north by Turnpike, to the west by Church Lane and to the

south by Old Street. Now a vacant house with its front door facing Church Lane, it forms a prominent feature on the corner of Turnpike/Church Lane.

Attached to the east side of the application building is 1 Turnpike, an equally large house, and 2-6 Old Street, a terrace of 3 houses of less height/bulk, with their front doors facing the least busy of the roads, it being both narrow and cobbled.

To the opposite side of Church Lane is a terrace of properties (including the Boars Head Public House) that is also of traditional design & facing materials. The properties on the opposite side of Turnpike include more modern bungalows/dormer-bungalows. To the opposite side of Old Street is the side elevation of a public house.

The site is within the Urban Boundary. The application building is not itself a Listed Building, but the attached cottages are Grade II Listed Buildings, as too are properties to the opposite side of Church Lane forming part of the Boars Head terrace and the nearby St Nicholas Church (further down Church Lane).

3. RELEVANT PLANNING HISTORY

None

4. PROPOSAL

Permission is sought to convert the building into three self contained flats - one a 2-bedroomed unit, one a 1-bedroomed unit and the other a studio flat.

The only external changes intended to the building are the alteration of 2 ground floor windows visible from Church Lane to doors.

5. POLICY CONTEXT

National

National Planning Policy Framework

- Section 6 Delivering a Wide Choice of High Quality Homes
- Section 7 Requiring Good Design
- Section 11 Conserving and Enhancing the Natural Environment
- Section 12 Conserving and Enhancing the Historic Environment

Development Plan Policies

RBC Core Strategy (2011)

- AVP3 Area Vision for Waterfoot, Cowpe, Lumb and Water
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale's Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 16 Preserving and Enhancing Rossendale's Built Environment
- Policy 23 Promoting High Quality Design and Spaces
- Policy 24 Planning Application Requirements

6. CONSULTATION RESPONSES

LCC (Highways)

No objections

RBC (Environmental Health)

No objections

RBC (Conservation)

Concerned about the lack of a Heritage Statement having regard to nearby Listed Buildings. In the event of the application being approved recommend conditions designed to safeguard the appearance of the building and the setting of the nearby Listed Buildings. These should include a condition requiring the retention of all timber framed windows and doors that are not proposed for replacement.

United Utilities

No objections

7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order, a press notice published on 6/12/13, site notices were posted on 9/12/13 and letters were sent to the relevant neighbours on 2/12/13.

Six letters of objection, including one from Cllr Crawforth, have been received in respect of the proposal. Their objections are that :

- a) the proposal makes inadequate provision for 'off street' parking of vehicles and would therefore exacerbate existing problems of 'on-street' parking in the area, to the detriment of safety and free-flow of other vehicles on the surrounding highways.
- b) insufficient information has been provided to enable the likely impact of the development upon nearby Listed Buildings, and upon the surrounding area in general. In particular the application lacks Design and Access, and Heritage, Statements.
- c) that it would not be possible to make satisfactory provision for the disposal of refuse from the development, there being inadequate space within the confines of the property to store the number of wheelie bins that would be required.
- d) the proposed flats are too small to provide satisfactory living accommodation.

The objectors generally support the re-use of the building as a single dwelling.

8. ASSESSMENT

The main issues for consideration in this instance are :

- 1) Principle; 2) Visual Amenity/Impact on Listed Buildings;
- 3) Neighbour Amenity; & 4) Access / Parking

Principle

The building is located within a largely residential area that lies within the Urban Boundary. It is also in a sustainable location, being on a bus route and half a kilometre from the centre of Waterfoot. It was last used for residential purposes and this scheme will bring it back into residential use. Accordingly, the proposal is considered to be acceptable in principle.

Visual Amenity/Impact on Listed Buildings

The building immediately adjoins Grade II Listed Buildings (2-6 Old Street). However, it is not proposed to enlarge it in the course of its conversion and its external appearance will remain largely unchanged. Just two external alterations to the building are proposed, namely the alteration of two ground floor windows into entrance doors.

Subject to conditions requiring the retention of all other timber-framed windows and the new doors matching with the existing timber doors it is considered that the proposals will have no significant impact either upon the setting of the Listed Buildings or upon the appearance of the surrounding area in general. Likewise, I do not oppose formation of an additional pedestrian access in the existing stone frontage wall so long as it is done with care and with the stone walls fronting highways otherwise retained.

Adequate provision can be made within the curtilage of the building for the storage of refuse bins. As no details of the provision for refuse storage have been included in the submission it is considered appropriate that they are the subject of a planning condition.

Neighbour Amenity

As indicated above, there are no proposals to increase the size of the building in the course of its conversion. In view of this it is concluded that the development will not have any adverse effect upon the level of light currently received by the surrounding properties.

There is no intention to create new window openings and all existing window openings are to be retained (apart from the two that are to become doors). All existing windows (including those to become doors) face land that is visible from public vantage points. It is considered that the proposal will not give rise to unacceptable overlooking of the neighbouring properties.

Access / Parking

The property does not presently have any parking spaces for vehicles within its grounds and it is not possible to make any available.

Objections have been received from local residents to the effect that the proposal would exacerbate existing problems of 'on-street' parking in the locality. Whilst I can appreciate their concerns, the parking requirement for the proposed flats is the same as that for the existing 4-bedroomed house (3 spaces in each case). This being the case I concur with LCC Highways that there are no reasonable highway grounds for opposing this proposal. LCC Highways has also commented that it would not wish additional bedrooms to be provided within the roof-void as this would be likely to add to on-street parking, to the detriment of highway safety; a condition to address this point is recommended.

Other Issues

In respect of other points raised by objectors I would advise as follows :

- a) Having regard to the limited nature of the external alterations intended it is not considered necessary to require that the applicant provide a Heritage Statement for the heritage implications of the proposal to be assessed.
- b) Concern relating to the size of the flats cannot be taken into consideration when determining a planning application as it is not a 'planning matter'.

9. SUMMARY REASON FOR APPROVAL

The proposal is considered to be acceptable in planning policy, design, amenity and highway safety terms. It is therefore considered to accord with the provisions of Policies AVP3, 1, 16, 23 and 24 of the adopted Rossendale Borough Council Core Strategy DPD (2011) and the relevant provisions of the National Planning Policy Framework.

10. RECOMMENDATION

That Permission be granted 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 : To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. This permission relates to Drawing Number 13.28.01A, received by the Local Planning Authority on 20 November 2013. Any variation to the approved drawings (including formation of any additional bedrooms in the roof-void) may require the approval of the Local Planning Authority.
Reason : For the avoidance of doubt, and in the interests of visual & neighbour amenity & highway safety, in accordance with Policies 1, 16, 23 and 24 of the Council's adopted Core Strategy DPD (2011).
3. The new doors shall be constructed of timber, shall have a painted finish and shall be set in reveal to match the reveals of the existing windows and doors. All other window-frames and doors are of timber and shall be retained as such, unless otherwise first agreed in writing by the Local Planning Authority.
Reason : In the interests of visual amenity and to safeguard the setting of the attached and nearby Listed Buildings, in accordance with the requirements of Policies 1, 16, 23 and 24 of the Council's adopted Core Strategy DPD (2011).
4. Details of the provision to be made for storing refuse bins associated with the flats shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved measures/scheme shall be implemented before the flats are

first occupied and shall thereafter be satisfactorily retained at all times. The stone boundary walls surrounding the property shall otherwise be retained in their existing form, unless otherwise first agreed in writing by the Local Planning Authority.

Reason : In the interests of visual amenity and to safeguard the setting of the attached and nearby Listed Buildings, in accordance with the requirements of Policies 1, 16, 23 and 24 of the Council's adopted Core Strategy DPD (2011).