

<b>Application Number:</b>	2014/0175	<b>Application Type:</b>	Full
<b>Proposal:</b>	Subdivision of house into 2 separate dwellings, including formation of 2 ground floor gable windows	<b>Location:</b>	50 Tonacliffe Road Whitworth
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	22 July 2014
<b>Applicant:</b>	Cllr A Neal	<b>Determination Expiry Date:</b>	24 July 2014
<b>Agent:</b>	Mr D Hancock		

<b>Contact Officer:</b>	Neil Birtles	<b>Telephone:</b>	01706-238645
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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	
<b>Other (please state):</b>	The Applicant is a Councillor

## 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 Permission be granted subject to the Conditions set out in Section 10.

## 2. THE SITE

The applicant resides in an end-terraced property on the west side of 50 Tonacliffe Road.

The property comprises of a 2-storey house of stone/slate construction, with a 1-storey addition of longstanding that runs the length of the north gable, visible from the highway and over the triangular grassed area to the north side.

The property has garden to the rear, but no front garden and is reliant on on-street parking.

The site is within the Urban Boundary.

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

None

### **4. THE PROPOSAL**

Permission is sought to sub-divide the property into two dwellings, entailing :

- Blocking-up of an internal doorway between the main body of the house and the 1-storey addition to the side and provision within the latter of a 1-bedroomed dwelling, with bathroom and kitchen/living room.
- Formation of 2 windows in the north elevation, to supplement the existing door & window in the front elevation and window in the rear elevation.

The submitted drawings indicate that the 1-bedroomed dwelling will have as its garden the area immediately to the rear and a 1m wide path running up its north side.

The Agent advises that :

*“The job is basically a granny type flat in what was the old shop, which hasn’t been used for the last 20 years..... this involves moving the kitchen out of the rear of that shop unit. The windows are in fact existing openings that are being re-opened.”*

### **5. CONSULTATION RESPONSES**

LCC Highways

No objection.

The proposed dwelling could generate one additional vehicle which could be accommodated on Tonacliffe Road without causing a highway safety issue or being of detriment to the neighbours, the majority of who have off street parking places.

RBC Environmental Health

No objection. Recommend the following conditions regarding the conversion works :

1. Construction works shall not be permitted outside the following hours-  
Monday to Friday 08:00 to 18:00  
Saturday 08:00 to 13:00

Construction hours shall not be permitted on Sundays or Bank or Public Holidays. Access and egress for delivery vehicles shall be restricted to the working hours indicated above.

Reason - to ensure that site working only takes place during normal working hours in order to restrict the times during which any disturbance and nuisance may arise.

2. Take all practicable steps to prevent the noise from the site activities giving rise to a nuisance. Take all practicable steps to prevent any dust from the site activities giving rise to a nuisance. Take all practicable steps to prevent any fumes from site plant/vehicles /activities giving rise to a nuisance. No burning of materials shall take place at the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To protect the amenity of the adjoining land users/occupiers .

Whitworth Town Council

No comments have been received.

**6. NEIGHBOUR NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order a site notice was posted on 1/7/14 and neighbours were notified by letter on 29/5/14.

No comments have been received.

**7. RELEVANT PLANNING POLICIES**

**National**

National Planning Policy Framework (2012)

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring Good Design

**Development Plan**

RBC Core Strategy DPD (2011)

AVP1 Area Vision for Whitworth, Facit & Shawforth

Policy 1 General Development Locations & Principles

Policy 2 Meeting Rossendale's Housing Requirement

Policy 3 Distribution of Additional Housing

Policy 8 Transport

Policy 24 Planning Application Requirements

**8. ASSESSMENT**

The main considerations of the application are :

- 1) Principle; 2) Visual Amenity; 3) Neighbour Amenity; & 4) Access/Parking.

Principle

The proposal entails sub-division of an existing building that is within the Urban Boundary and is already in residential use. Accordingly, the proposal is considered appropriate in principle.

Visual Amenity

The proposed scheme of conversion will not entail extension of the building and the conversion works proposed will not detract from its character and appearance.

Neighbour Amenity

The proposal will not result in a significant loss of light, outlook or privacy for any neighbour.

Access/Parking

The proposal is most likely to impact on neighbours by reason of increased competition to park vehicles on-street. However, the Highway Authority is satisfied that the generation of one additional vehicle could be accommodated on Tonacliffe Road without causing a highway safety issue or being of detriment to the neighbours.

**9. SUMMARY REASON FOR APPROVAL**

The proposed development is appropriate in principle and, subject to the conditions, is not considered likely to unduly detract from visual and neighbour amenity or highway safety. It is considered that the development is in accordance with Policies AVP1 / 1 / 2 / 3 / 24 of the Council's adopted Core Strategy DPD (2011).

## 10. RECOMMENDATION

Approve

### 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 submitted Drawings, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority.  
Reason : For the avoidance of doubt.
3. Any construction works associated with the development hereby approved shall not take place except between the hours of 8am and 6pm Monday to Friday and 8am and 1pm 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 24 of the adopted Core Strategy DPD.