

<b>Application Number:</b>	2011/568	<b>Application Type:</b>	Full
<b>Proposal:</b>	Conversion of hotel to 15 apartments	<b>Location:</b>	Former Holden Vale Hotel, Holcombe Road, Helmshore
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	16 October 2012
<b>Applicant:</b>	Mr V Powell	<b>Determination Expiry Date:</b>	9 November 2012
<b>Agent:</b>	Hartley Planning & Development Associates		

<b>Contact Officer:</b>	Neil Birtles	<b>Telephone:</b>	01706-238645
<b>Email:</b>	neilbirtles@rossendalebc.gov.uk		

REASON FOR REPORTING	Tick Box
<b>Outside Officer Scheme of Delegation</b>	<input type="checkbox"/>
<b>Member Call-In</b> Name of Member: Reason for Call-In:	<input type="checkbox"/>
<b>3 or more objections received</b>	<input type="checkbox"/>
<b>Other (please state):</b>	<b>MAJOR</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 Committee be minded to grant Planning Permission subject to completion first of a S.106 Obligation and the Conditions set out in Section 11.

## 2. SITE

This application relates to a site of approximately 2ha in area and is occupied by the now-vacant Holden Vale Hotel. It is located to the west side of Holcombe Road (B6235), on the outside of a bend.

Possessing 35 bedrooms, restaurant, public bar, 3 function/conference rooms and managers accommodation, the substantial 2/3 storey stone/slate building occupying the site has its front elevation facing north, towards Ogden Brook. Land to its rear rises up steeply and is covered with trees. Immediately to the north and west sides of the building are areas of hardstanding, providing parking for 30 cars. There is a footbridge from the car park to the open land on the opposite side of the brook. To the west of this open land is Holden Wood Reservoir, whilst on the opposite side of Holcombe Road to it is Kingsway, which gives access to Grange Park Way housing estate and commercial premises of several firms (including those of Solomon Commercials).

The building is little seen when approached from the south along Holcombe Road. Until recently its front elevation was open to public view within an attractive setting when approached from the north along Holcombe Road or at the junction with Kingsway - viewed across open land and against a backdrop of trees. However, this open land is presently despoiled as a result of on-going works by United Utilities to form a new centrally-positioned spillway in the embankment of Holden Wood Reservoir, required in the interests of flood protection. At the present time part of the hotel car park is inaccessible as a result of the temporary pipes United Utilities as run across it.

The application site is located in the Countryside. The land occupied by the Grange Park Way housing estate and commercial premises accessed from Kingsway lie within the Urban Boundary of Haslingden/Helmshore.

### 3. RELEVANT PLANNING HISTORY

- 1992/255     Car park, picnic area & associated landscaping  
Site east of Holden Wood Reservoir  
 Proposal from North West Water Ltd - Approved 26/6/92
- 1998/261     Conversion & extension of building to form offices & conference centre  
 Approved 14/12/98 subject to conditions, with Condition 7 reading as follows :
- The conference centre bedroom accommodation shall not be used other than in conjunction with the conference facilities.  
 Reason : For the avoidance of doubt insofar as this permission is for a conference centre with ancillary bedroom accommodation.
- 1994/084     Deletion of Condition 7 of Planning Permission 1998/261  
 Approved 26/5/99, thereby enabling use of the bedroom accommodation by people not making use of the conference facilities.
- 2012/0012     Temporary widening of a vehicular access to Holcombe Rd  
Site east of Holden Wood Reservoir  
 Proposal from United Utilities to facilitate works at Ogden Reservoir and Holden Wood Reservoir and enable them to continue to be used to safely impound the same volume of water as at present - Approved 23/2/12.

### 4. THE PROPOSAL

The application seeks permission to convert the building into 15 apartments, each with ranging between 1 and 3 bedrooms. Whilst this will require a more significant degree of internal alteration to the building, external alterations will be limited to formation of an additional doorway in the front elevation and alteration of other existing door openings.

Each of the apartments is to be provided with 2 external car parking spaces and bike storage at lower-ground level. Two communal bin-storage areas are to be constructed at opposite ends of the building.

The application is accompanied by a Planning, Design & Access Statement that pre-dates issue by Central Government of the National Planning Framework/revocation of the PPGs and PPSs that preceded it. In support of the application the Agent states :

- The property has been vacant since 2007 and has been extensively marketed for sale/rent for commercial purposes for 2 years without success. It is desirable to re-use this existing building, much of which dates from the early 1990's.
- The site is within land defined as Countryside, but is immediately adjacent to the settlement boundary of Holden Vale and is within easy walking distance of Helmshore and Grane Road and a number of local amenities and schools. There are employment opportunities close to the site.
- The building is in-keeping with the area and very few changes externally are proposed.
- The site is within extensive landscaped grounds, with general amenity land to the east side of Ogden Brook.
- Whilst the application should be approved on its own merits with reference to Local Plan and national planning policies, the Council cannot currently demonstrate it has a suitable and deliverable 5-year supply of housing land.
- As the scheme does not propose more than 15 residential units there is no requirement it provide affordable housing.
- The grant of planning permission will enable the applicant to obtain interest in the market place and seek to commence conversion works following a number of pre-sales/pre-lets.

The application is also accompanied by letters from CB Richard Ellis, commercial property consultants, explaining the marketing undertaken by them in respect of the property. In short, a limited 'soft' marketing exercise was undertaken in 2007 and approaches made to hotel franchises regarding membership in an attempt to boost the customer base and save the ailing business. A fuller marketing of the property for sale was commenced in July 2009, entailing :

- Erection of for sale sign at the premises
- Production and distribution to hotel operators/healthcare operators/developers on their database of a sales brochure
- Advertisement in the trade press (including Caterer & Hotel Keeper and Caring Times) in April 2010 and press release via its own PR company
- Inclusion of the site on its own website and the Council's own property register since February 2010.

It says :

*“Despite our best endeavours over this period, which has included reducing the asking price, it has not been possible to secure a sale for commercial purposes - though it might have been possible to make progress with its use for housing.....The existing development is somewhat isolated for commercial usage and its relatively large size makes it unappealing for the vast majority of potential purchasers. In addition, the opening of the Village Hotel in Bury will have deterred developers from re-opening the hotel at Holden Vale.*

*“In the current market conditions - which seem likely to continue for some time and when the property is likely to deteriorate further - we see very little hope for its commercial re-use. Housing might be the only way of bringing the property back into beneficial use.”*

The application is also accompanied by a Flood Risk Assessment, which advises that the Ogden Brook flows past the hotel car park in a wide/deep gabion channel and Holden Wood Reservoir is adjacent. It assesses the flood risk aspects of the proposed conversion of the hotel into apartments and concludes that :

*“The river has been surveyed and modeled and the hotel site is floodzone 1, above the 1 in 1000 year risk level of the river. The proposals are appropriate for floodzone1.”*

*“[The] reservoir is adjacent but maintained to 1 in 10,000 year standard by United Utilities, so the risk of reservoir failure is less than 0.0001%.”*

## **5. POLICY CONTEXT**

### **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 10 - Meeting the challenges of climate change, flooding & coastal change
- Section 11 - Conserving & enhancing the Natural Environment

### **Development Plan**

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

- Policy DP1 Spatial Principles
- Policy RDF1 Spatial Priorities
- Policy RDF2 Rural Areas
- Policy L1 Health, Sport, Recreation, Cultural & Education Services Provision
- Policy L4 Regional Housing Provision
- Policy L5 Affordable Housing
- Policy RT2 Managing Travel Demand
- Policy RT4 Managing the Highway Network
- Policy RT9 Walking & Cycling
- Policy EM1 Environmental Assets
- Policy EM5 Integrated Water Management

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

- AVP6 Area Vision for Haslingden and Rising Bridge
- 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 8 Transport
- Policy 9 Accessibility
- Policy 10 Employment
- Policy 14 Tourism
- Policy 19 Climate Change & Low Carbon & Zero Carbon Sources of Energy
- Policy 21 Supporting the Rural Economy and its Communities
- Policy 23 Promoting High Quality Designed Spaces
- Policy 24 Planning Application Requirements

## **Other Material Planning Considerations**

RBC Conversion & Re-use of Buildings in the Countryside SPD (2010)

RBC Open Spaces & Play Equipment Contributions SPD (2008)

LCC Planning Obligations Policy (2008)

## **6. CONSULTATION RESPONSES**

### **Environment Agency**

Having regard to the submitted Flood Risk Assessment, which included a localised model of the River Ogden that suggests risks are not as high as the EA generalised outlines suggest, it does not have objection to the proposed development.

### **United Utilities**

The on-going works at Ogden Reservoir and Holden Wood Reservoir to enable them to continue to be used to safely impound the same volume of water as at present are programmed to last until 2014. For Holden Wood Reservoir they entail formation of a new spillway midway along the existing embankment and reduction in the gradient of the embankment. The land between Holcombe Road and the reservoir did have a 99 year lease to the hotel, however this has recently been ended by the company, meaning UU are now once again owner and occupier. The pipes which presently run across the hotel car park are a temporary measure and will be removed in due course.

### **LCC (Highways)**

No objection to the application on highway grounds subject to a S.106 Obligation / Conditions addressing the following highway safety and accessibility issues.

The existing junction will require re-aligning and a footway will be required on the south side of the access road onto Holcombe Road.

The proposed 3 x 1 bedroom, 8 x 2 bedroom and 4 x 3 bedroom apartments will require 27 off street parking spaces and 30 are being retained in the existing car park; the designation of some as disabled spaces can be removed.

There are 9 individual storage rooms in the basement. It will be necessary to provide secure, covered cycle stands for the remaining apartments.

The site attracts a low accessibility score and therefore a S.106 contribution of £22,630 is sought to improve the public footpath (opposite the site) from Holcombe Road to National Cycleway 6.

When exiting the public footpath onto Holcombe Road there is a much reduced sightline to the south due to the bend in the road. It is necessary for pedestrians to walk south over the bridge in order to see in both directions. It will be necessary to provide a pedestrian refuge in the centre of the road to encourage and assist pedestrians to cross Holcombe Road at that point by a S.278 Agreement with the Highway Authority.

Drivers travelling north along Holcombe Road towards Grane Road are crossing the centre line on the bend which is a concern, especially with right turning traffic into the development with the junction in its current layout. By re-aligning the junction, right turning traffic can be brought further south which will increase their sightline to the south over the bridge.

A bus stop on the west side will be required opposite the existing stop on the east side.

### **LCC (Ecology)**

No structural works are proposed to the building and no trees are to be affected by the proposal. It therefore seems reasonably unlikely that the proposed development would have a significant impact on ecology, including bats.

### LCC Education

This consultation response seeks to draw the Council's attention to impacts associated with the above development and proposes mitigation for these impacts through a planning obligation. Failure to secure the contributions sought would mean that the County Council cannot guarantee that children living on this development would be able to access a school place within a reasonable distance from their homes.

Latest projections for the local primary schools (within 2 miles of the application site) show there to be approximately 49 places available in 5 years' time. However, implementation of other residential schemes already permitted can be expected to fill 15 of these places, leaving 34 places remaining. With an expected yield of 4 primary-school aged pupils from this development a claim is not needed at this stage to add to primary school capacity in the local area.

Latest projections for the local secondary schools (within 3 miles of the application site) show there to be a shortfall of 87 places in 5 years' time without the impact from this development. Therefore, a contribution of £52,598 is sought to add to secondary school capacity in the local area for the full secondary-school aged pupil yield of this development of 3 places.

## **7. REPRESENTATIONS**

To accord with the General Development Procedure Order a press notice was published on 17/8/12, a site notice was posted on 12/9/12 and neighbours were notified by letter on 14/8/12.

No comments have been received.

## **8. ASSESSMENT**

In dealing with this application the main issues which need to be considered are :

- 1) Principle
- 2) Housing Policy
- 3) Visual Amenity
- 4) Neighbour Amenity
- 5) Access/Parking
- 6) Planning Contributions

### Principle

The site lies within the Countryside, wherein there would be an objection in principle to erection of a dwelling unless a special circumstances could be advanced for it (eg an agricultural workers dwelling). However, there is not the same presumption against conversion of an existing building

The Council's Conversion & Re-use of Buildings in the Countryside SPD states :

*"The conversion of an existing building in the countryside will be permitted where:*

- The building is shown to the satisfaction of the Council to be structurally sound; and*
- Conversion works are in keeping with the style of the building and respect the character of the natural and man-made landscape, protecting and enhancing it where possible; and*

- *The building is of sufficient size to be capable of conversion without requiring substantial extensions or alterations; and*
- *Satisfactory means of access, off-street parking, bin storage and servicing can be provided and mains services are available for connection into the scheme; and*
- *The development does not require the removal of, or damage to, significant or prominent trees, hedges, watercourses, ponds or any other natural landscaped features; and*
- *The development will not require unnecessary expenditure by public authorities and utilities on the provision of infrastructure; and*
- *The development would not have an unacceptable impact on nature conservation interests or protected species; and*
- *The development is sustainable in terms of its location and access to public transport and local services; and*
- *The Council is satisfied that the building was originally created for genuine purposes.”*

In this instance I am satisfied that the building was originally created for genuine purposes, is structurally sound and is capable of conversion to 15 apartments without extension or substantial alteration harmful to the character and appearance of the building or area.

Accordingly, I do not consider there to be an objection in principle to the proposal. As to whether the proposal accords with certain of the criteria is addressed below, most notably that relating to sustainability in terms of site location and access to public transport and local services.

#### Housing Policy

In relation to residential use the Council’s Conversion & Re-use of Buildings in the Countryside SPD states :

*“In addition to meeting the criteria listed above, proposals to convert an existing building in the countryside to residential use will need to demonstrate that:*

- *Every reasonable attempt has been made to secure business/commercial re-use and that these uses are not viable; or*
- *The building is unsuitable for business use; or*
- *The residential conversion is required to meet a proven need for a dwelling for a full-time agricultural or forestry worker.*
- *The building (or group of buildings) is of permanent and substantial construction and is of a form, bulk and general design in keeping with its surroundings and can be converted without extensive alteration, rebuilding or extension.”*

Having regard to Core Strategy policies that seek to sustain and development employment utilising the borough’s tourist/recreation assets. The applicant was required to undertake extensive marketing to secure re-use of the premises as a hotel or other employment use. I am satisfied that this has occurred and, reluctantly, have to concur with the conclusion of the applicant’s property consultants that *“In the current market conditions - which seem likely to continue for some time and when the property is likely to deteriorate further - we see very little hope for its commercial re-use. Housing might be the only way of bringing the property back into beneficial use.”*

Subdivision of the building in the manner proposed will create flats varying in size from 1 to 3 bedrooms. Internally the flats will provide occupiers with the amenities they could reasonably expect. However, as the land to the rear rises up steeply/is tree-covered outlook from rear windows is somewhat limited, whilst the area to the front will be largely hard-surfaced and used for car parking, front windows (once United Utilities has completed its works and re-instated the land on the opposite side of the river) have outlook towards attractive open countryside.

A proposal for 15 apartments does not generate a need for any of them to be provided as Affordable Housing.

Having regard to the above, I do not consider there to be grounds to refuse the application due to conversion of hotel accommodation to residential use.

#### Visual Amenity

The existing building is not of unattractive appearance and the external alterations proposed for it are very limited and will not detract from its appearance or that of the area.

#### Neighbour Amenity

I am satisfied that the proposed development will not detract to an unacceptable extent from the amenities of any neighbours.

#### Access/Parking

The Highway Authority has not objected to the proposed development. It is satisfied that adequate parking is being proposed within the site to meet the needs of residents and their visitors. However, there are certain matters it wishes addressed by way of a S.106 Obligation and conditions to overcome concerns regarding highway safety and accessibility issues.

I concur with its view that :

- the existing site access requires re-aligning to improve sight-lines
- a footway to Holcombe Road provided on the south side of the access
- a pedestrian-refuge provided in the centre of the road to encourage and assist pedestrians to safely cross Holcombe Road
- secure, covered cycle stands for all apartments should be provided.

These matters can be addressed by way of conditions.

LCC Highways further advises that the site attracts a low accessibility score and, having regard to the Planning Obligations Policy 2008, a S.106 contribution of £22,630 is sought with which to improve the public footpath opposite the site from Holcombe Road to National Cycleway 6 and thereby improve off-road access for pedestrians and cyclists to local facilities/services of Helmshore/Haslingden Town Centre. Likewise I can appreciate its wish to secure from the applicant a bus stop on the west side of Holcombe Road, opposite the existing stop on the east side. The £25,000 required to address both these issues would need to be secured through a S.106 Obligation.

#### Planning Contributions

To accord with the Council's approved Open Spaces & Play Equipment Contributions SPD would require the developer to contribute £1,366 for each of the 15 dwelling units proposed, a total of £20,490. The Agent has offered a contribution of £19,408 on the basis that a number of the units are 1 bedroomed and consequently not have children requiring play space.

The SPD says an "...*exemption may be applied to developments of one bed apartments at the Council's discretion to reflect the fact that such dwellings typically have fewer residents than larger dwellings. In such a case, the Council may choose to reduce the open space contribution to no less than 50% of the full contribution. This does not apply to one and two bed houses*".

LCC Education has also sought a contribution of £52,598 to add to secondary school capacity in the local area for the full secondary-school aged pupil yield of this development of 3 places, indicating that the latest projections for secondary schools within 3 miles of the application site show there to be a shortfall of 87 places in 5 years' time without the impact from this development.

However, I am mindful that this development will add little to the projected shortfall, and the fact that LCC Education could not substantiate need for a contribution in relation to the more substantial development at the Holmefield House site.

Accordingly, I conclude that it is appropriate to require that a S.106 Obligation is entered into to secure payment of £25,000 as sought by LCC Highways and £19,408 towards Open Space/Play Space provision, but not the contribution sought by LCC Education.

## 10. SUMMARY REASON FOR APPROVAL

The proposed development is considered acceptable in principle, subject to the accompanying S.106 Obligation and Conditions to ensure the scheme will not detract to an unacceptable extent from visual and neighbour amenity or highway safety and the accessibility of the site is improved. The development has been considered most particularly in light of the National Planning Policy Framework (2012), Policies RDF2/L4/L5/RT2/RT4/EM1/EM2/EM5 of the Regional Spatial Strategy and Policies AVP6/1/2/3/4/8/9/10/14/15/18/21/23/24 of the Rossendale Core Strategy DPD (2011).

## 11. RECOMMENDATION

That Permission be granted, subject to:

- a) Completion of a S.106 Obligation to secure payment to the Council of £44,408 to be expended on Open Space/Play Space provision and improve pedestrian and cycle links from the site to local facilities/services of Helmshore/Haslingden Town Centre and bus services/facilities.
- b) 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 Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to commencement of the development hereby permitted a scheme shall be submitted to and approved in writing by the Local Planning Authority providing for :
  - a) re-alignment of the existing site access
  - b) provision of a footway to Holcombe Road on the south side of the access
  - c) provision of a pedestrian-refuge in the centre of Holcombe Road
  - d) provision of secure, covered cycle parking for all apartments.The approved scheme shall be completed prior to first occupation of any of the apartments, unless otherwise first agreed in writing by the Local Planning Authority.
3. Prior to first occupation of any of the apartments the areas to be used for the parking and manoeuvring of cars shall be surfaced, drained and delineated in accordance with the approved drawings and thereafter kept freely available for use as such.  
Reason: In the interests of highway safety, in accordance with Policy 24 of the Rossendale Core Strategy DPD (2011).
4. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The submitted scheme shall

provide details of : a) walls/fences/gates/hard-paved areas; b) the protection to be afforded during construction to planting on the site to be retained; c) the types and numbers of trees and shrubs to be planted on the site and their size and distribution; & d) any changes of ground level or landform.

Reason : In the interests of visual and neighbour amenity and highway safety, in accordance with Policy 24 of the Rossendale Core Strategy DPD (2011).

5. All hard-surfaced areas/walls/fences/gates forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the dwelling to which they relate/are nearest, unless otherwise agreed in writing with the Local Planning Authority. All approved measures for protection of planting to be retained shall be adhered to. All new planting, seeding or turfing forming part of the approved scheme of landscaping/boundary treatment shall be carried out in the first planting and seeding seasons following substantial completion of the dwelling to which they relate/are nearest. Any trees or plants in the approved scheme which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason : In the interests of visual and neighbour amenity and highway safety, in accordance with Policy 24 of the Rossendale Core Strategy DPD (2011).