



Application Number:	2024/0477	Application Type:	Full
Proposal:	Full: Change of use of vacant house to form five flats together with the addition of proposed steel external staircase, creation of new openings to rear elevation and associated works.	Location:	197 Bury Road Rawtenstall Rossendale Lancashire BB4 6DJ
Report of:	Head of Planning and Building Control	Status:	For publication
Report to:	Development Control Committee	Date:	01.04.2025
Applicant:	Mr John Stott	Determination Expiry Date:	04.04.2025 – Time extension agreed.
Agent:	Mr Ian Stott – AJ Cocker Associates		

Contact Officer:	Chris Dobson
Email:	planning@rossendalebc.gov.uk

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	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 the application should be approved subject to conditions.

2. APPLICATION SITE

The application site is a large detached three-storey dwelling of stone and slate construction. The site fronts Bury Road and contains access down both sides leading to a rear yard. The topography of the site results in the land sloping downwards away from Bury Road.

The dwelling is located within the urban boundary approximately 0.5m to the south west of the town of Rawtenstall.

3. RELEVANT PLANNING HISTORY

No relevant planning history

4. PROPOSAL

The applicant proposes the conversion of the existing dwelling into five one-bedroom flats. One flat is proposed to be located within the lower ground floor, two within the ground floor and two within the first floor. The external changes to the dwelling are detailed below:

- Addition of a steel staircase positioned to the rear elevation of the dwelling. This is proposed to provide access via a new doorway to flats 4 & 5 at first floor level.
- The creation of two new window opening at lower ground floor level to the rear elevation to provide light into bedroom and living room of the lower ground floor flat
- Creation of a window within the eastern elevation at lower ground floor level with a light well protected by metal railings.
- Infilling the existing blocked up doorways on the western side elevation with matching masonry.
- Replacement of all windows and doors with new units.
- The construction of a timber bicycle shelter measuring 2.55m x 2.85m with this located within the rear garden.
- The construction of a timber bin store located within the rear garden
- Hard and soft landscaping of the rear garden including the addition of boundary fencing to a height of 1.8m.

5. POLICY CONTEXT

Policy Considerations

National Planning Policy Framework

Section 2	Achieving sustainable development
Section 4	Decision-making
Section 5	Delivering a sufficient supply of homes
Section 9	Promoting Sustainable Transport
Section 11	Making effective use of land
Section 12	Achieving well-designed places

Development Plan Policies

SS: Spatial Strategy

SD1: Presumption in Favour of Sustainable Development
SD2: Urban Boundary and Green Belt
HS5: Housing Standards
HS8: Private Outdoor Amenity Space
ENV1: High Quality Built Development
ENV4: Biodiversity, Geodiversity and Ecological Networks
ENV6: Environmental Protection
ENV9: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality
ENV10: Trees and Hedgerows
TR4: Parking

Other Material Planning Considerations

RBC Alterations & Extensions to Residential Properties SPD

6. CONSULTATION RESPONSES

LCC Highways – No objection
RBC Environmental Health – No objection

7. REPRESENTATIONS

In order to publicise the application consultation letters were sent to surrounding neighbours on 17.12.2024 with a site notice posted at the site on 20.12.2024.

Three objections have been received with these raising the following concerns:

- Lack of parking provision
- Location and number of bins

One neutral comment was also received which again referred to parking within the vicinity.

8. ASSESSMENT

Principle

The application site is located within the Urban Boundary of Rawtenstall as defined by the Council's adopted Development Plan. The proposal to convert the dwelling into five flats is therefore considered acceptable in principle.

Impact upon the character and appearance of the host dwelling and surrounding street scene.

The Framework aims to deliver well designed places. Paragraph 135 states planning decisions should ensure that developments

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping."

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

Policy ENV1 (High Quality Development in the Borough) of the Rossendale Local Plan states:

“All proposals for new development in the Borough will be expected to take account of the character and appearance of the local area, including, as appropriate, each of the following criteria:

- a) Siting, layout, massing, scale, design, materials, lighting, building to plot ratio and landscaping;*
- b) Safeguarding and enhancing the built and historic environment;*
- c) Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area;”*

The repurposing of the building requires external changes to be made to both the building and the surrounding land. These are detailed within the proposal section above. The most significant visual change would be the erection of a steel staircase to the exterior of the building. It is noted that this is proposed to be erected to the less visually prominent rear elevation of the building however it will still be visible from the rear elevations of a small number of residential dwellings located on Andrew Avenue to the rear. This is not considered to be a particularly visually attractive element of the development. The harm however, to the visual appearance of the site is considered to be outweighed by the improvements resulting from the re-use and refurbishment of the building from its existing condition including the addition of soft landscaping, shrubs, etc. to the rear garden, new boundary treatments and the replacement of all the windows and doors within the building.

Overall, it is considered the visual appearance of the site as a whole will be significantly improved by the proposed development. The development work is therefore considered acceptable in relation to the impact upon the character and appearance of the host dwelling and the surrounding street scene.

Neighbour and Residential Amenity

Both national and local policies aim to protect the amenity of all existing and future occupants of land and buildings. Policy HS9 of the Local Plan and the SPD states that new development should protect the amenity of residents ensuring that each resident has an acceptable level of privacy and satisfactory level of daylight. Important factors such as overlooking, outlook and overshadowing are taken into consideration below.

The development proposes to utilise the existing dwelling with no extensions proposed. It is noted that new window openings are proposed to be created at ground floor level within the rear elevation. These windows will sit approximately 18.5m from a habitable room window

directly opposite within the rear elevation of No.195A Bury Road which would be slightly below the separation distance guidance within the Council's SPD which advises that a distance of 20m should be retained. It is however noted that the windows proposed to be added are at ground floor level with the submitted plans showing that a 1.8m high boundary fence is to be erected to the rear boundary of the garden with a bike shelter and a bin store also proposed to be constructed. These are considered to provide sufficient screening between dwellings to ensure no significant loss of privacy would occur. A condition has been added to ensure the fencing, bike store and bin store are constructed prior to first occupation of the flats, to further ensure no significant loss of privacy.

In terms of residential amenity, the internal layout of the scheme has been amended slightly during the course of the application to ensure each flat meets the minimum size as set out within the nationally described space standards. In relation to outdoor amenity space, a small landscaped garden is proposed to the rear of the building however it should also be noted that the building is sustainably located close to bus routes as well as being within 0.5 miles to a range of amenities within Rawtenstall town centre and 0.2 miles from the Barlow Fold sports field.

Overall, the development is considered acceptable in terms of neighbour and residential amenity.

Parking, Highway Safety & Access

The proposed development results in the layout of the building changing from one four-bedroom dwelling to five individual flats. No off-street parking is proposed within the curtilage of the site. It is noted that the existing site contains an access to the west side of the building however it is unclear as to whether this access facilitated the use of the rear yard for off-street parking.

Three objections have been received during the consultation period with each of these raising concerns over the impact this change would have upon the provision for parking within the locality. The local Highway Authority have been consulted to provide comments on the development. The initial comments raised no objections to the proposals however, they did require the submission of a plan to show the design and size of the proposed cycle store. This has been provided and confirmation received from the Highway Authority that they are satisfied with this. Due to the objections received, the case officer asked the Highway Authority to provide specific comments to address the resident's concerns regarding the available parking provision. Further comments have been received as follows:

"We have reviewed the objections regarding on street parking. Yes, the site does not provide any off highway parking, however it is located within a sustainable location with access to public transport and local amenities. There are also parking restrictions on the opposite side of the road to control on-street parking. The Local Highway Authority is of the opinion that any on street parking generated by the proposed development would not have an unacceptable impact on the operation of local highway network."

In relation to access, flats 4 & 5 are proposed to be accessed via the external staircase to the rear of the dwelling with the remaining flats accessed from ground floor level. It is accepted that the occupants of flats 4 & 5 would be aware of the external access prior to occupying the flats. The access arrangements are therefore considered acceptable.

Concerns have also been raised regarding the positioning and size of the proposed bin store. This is however considered acceptable given its location within the rear garden of the building and the available space surrounding this.

Overall, it is considered that the development is acceptable in relation to parking, highway safety and access arrangements.

9 RECOMMENDATION

That the application should be approved subject to 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 following drawings and documentation unless otherwise required by the conditions below:

Title	Drawing No.	Received Date
Location Plan	A331-04	04.12.2024
Proposed Site Plan	A331-03/A	12.02.2025
Proposed Floor Plans	A331-01/B	12.02.2025
Proposed Elevations	A331-02/A	17.12.2025

Reason: To define the permission and in the interests of the proper development of the site.

- 3) No materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans.

Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.

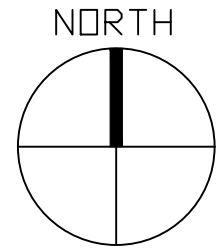
- 4) The boundary treatments, bike store and bin store as shown within the Proposed Site Plan drawing ref A331-03/A shall be constructed prior to first occupation of any of the flats hereby approved.

Reason: In the interest of neighbour and residential amenity and to promote sustainable transport.

INFORMATIVE

- 1) The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

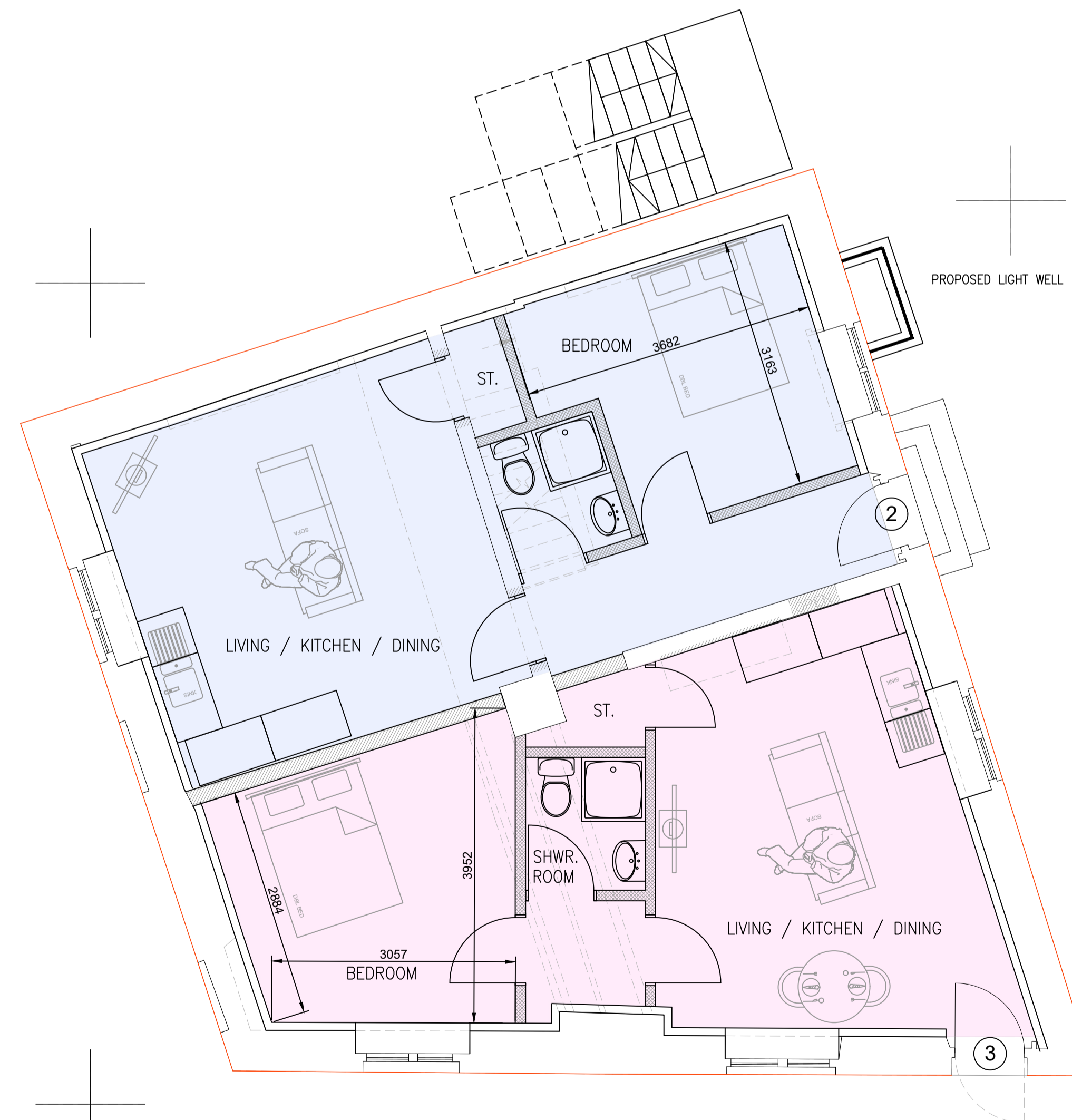
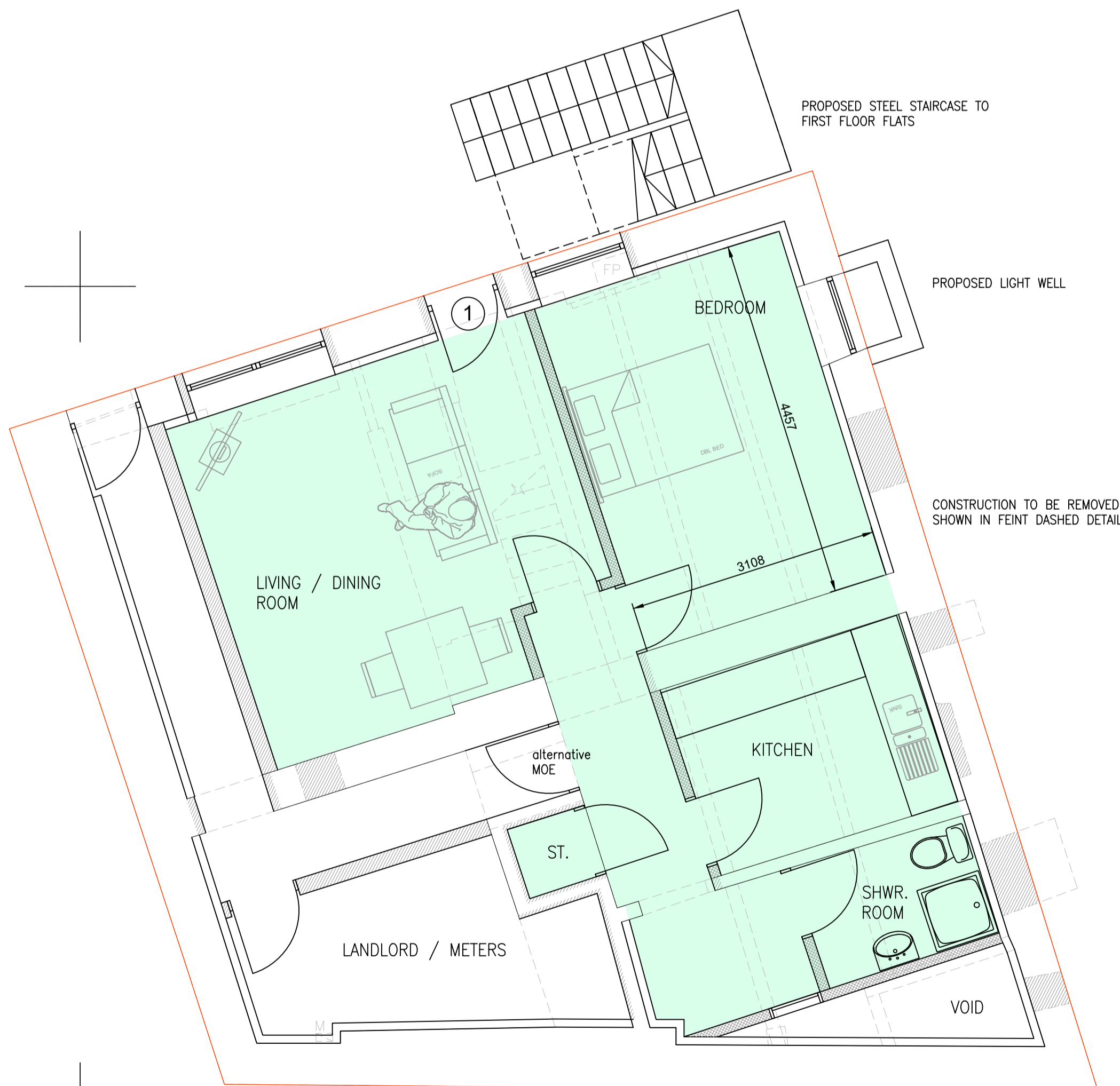
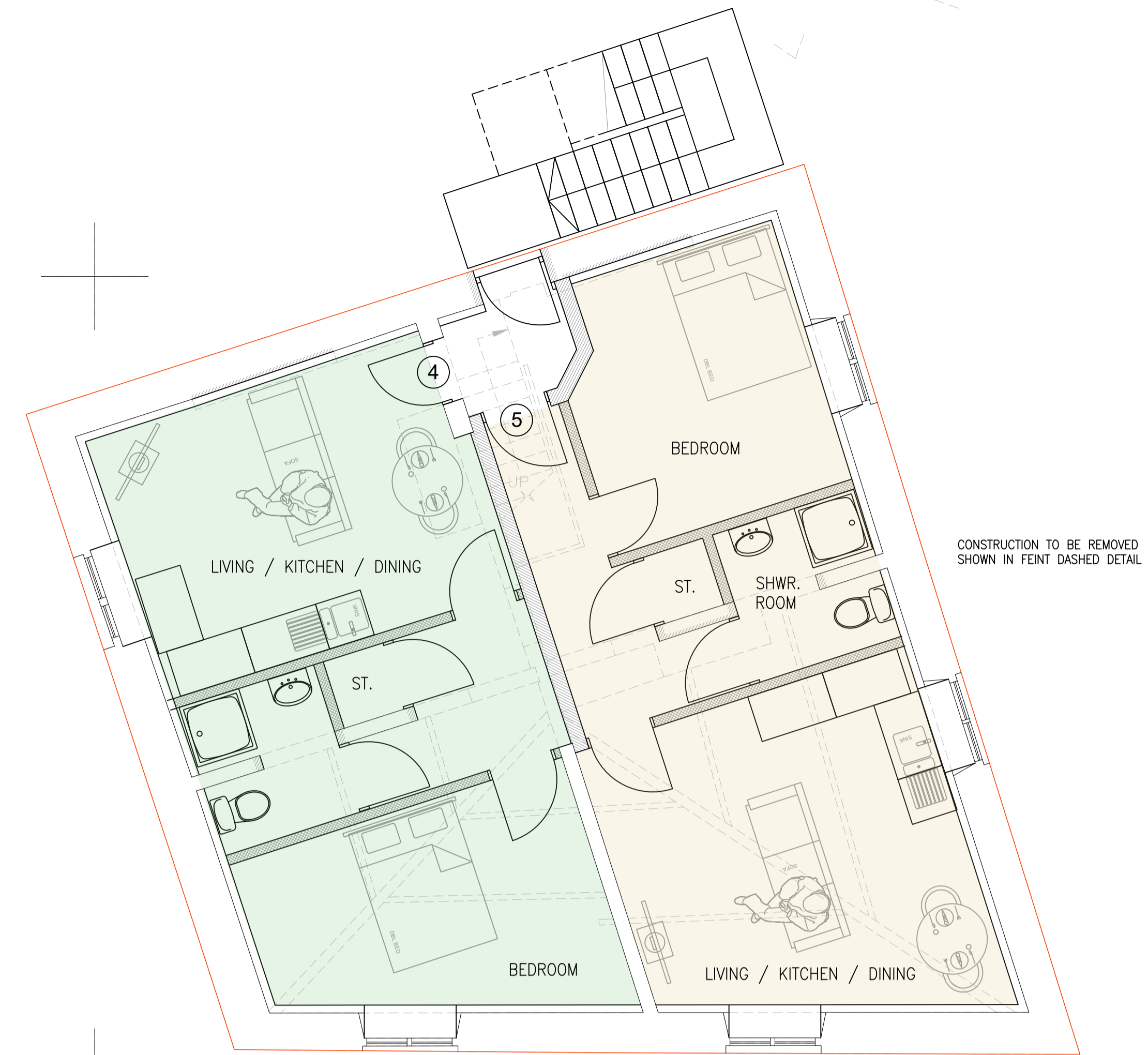
197 Bury Road
Rawtenstall



LOCATION PLAN
scale 1 - 1250

ACCOMMODATION SCHEDULE

flat	floor area [sq.m.]	type
1	56.6	1 bed 2 person
2	41.5	1 bed 1 person
3	39.0	1 bed 1 person
4	38.2	1 bed 1 person
5	40.2	1 bed 1 person

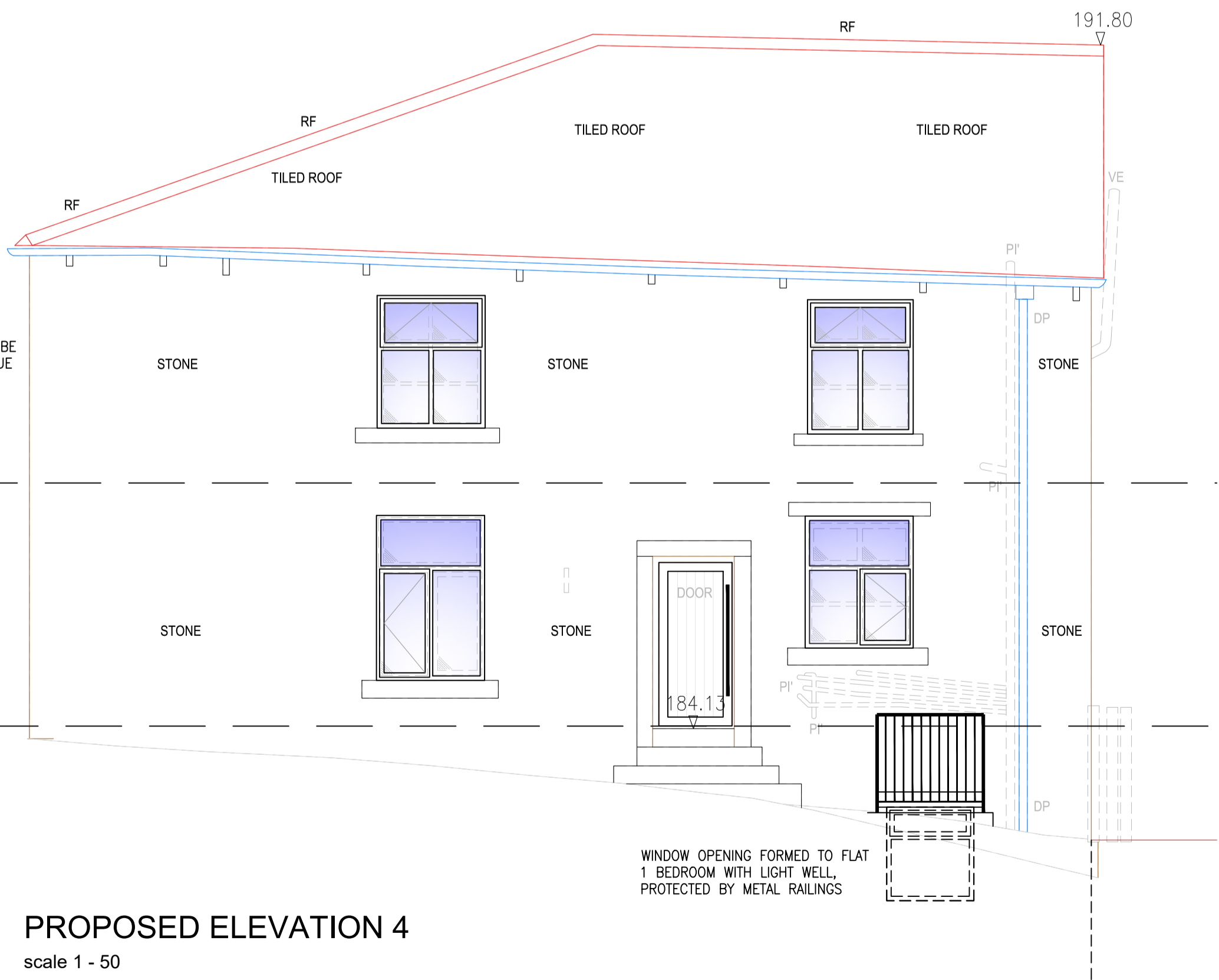
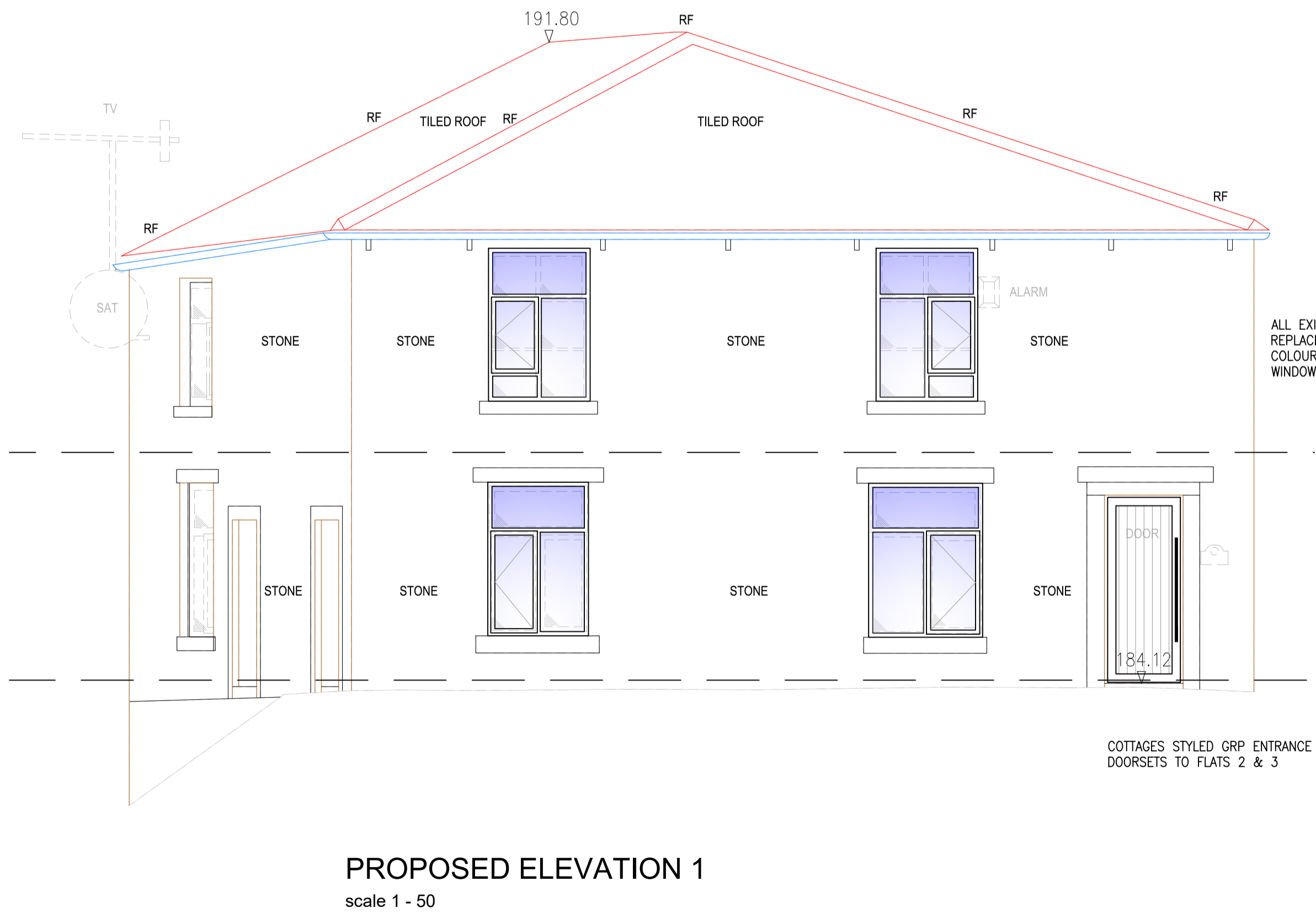
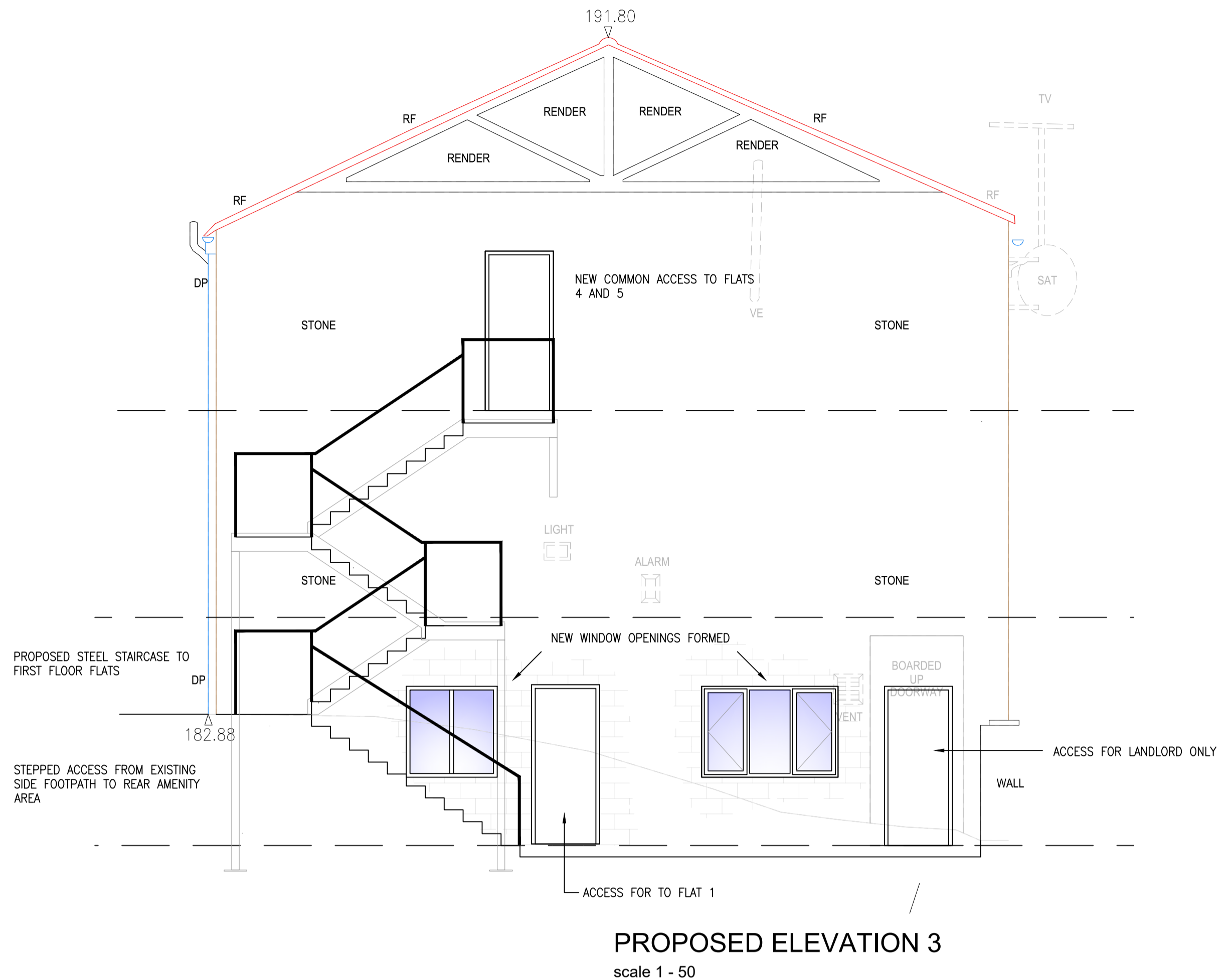
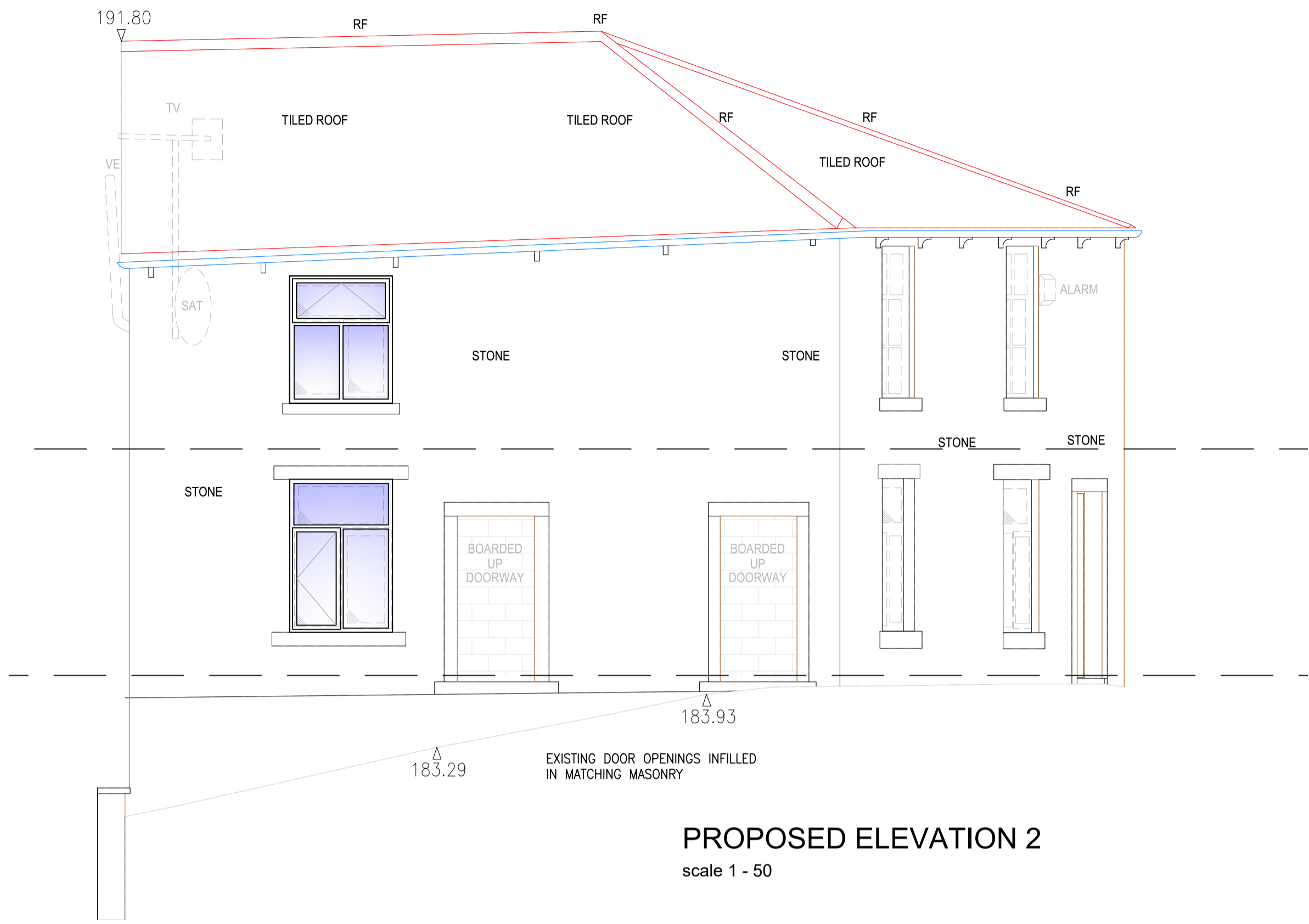


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CDM:
Clients and contractors must fulfil their duties under the CDM regulations 2015. The client is required to notify the HSE of any projects lasting more than 30 days or involving more than 500 person days.

B	11.2.25	flat 4 and 5 footprint amended and accommodation schedule updated
A	-	-
rev:	date:	description



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	Project: 197 Bury Road Rawtenstall PROPOSED FLOOR PLANS	

Client: Armstrong B & M	scale: as noted @ A1 date: Nov 2024 drawn: IS Dwg. Nr. A331-01/B
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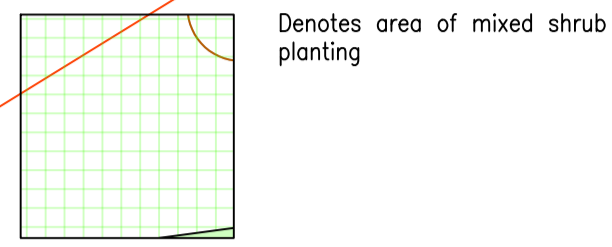


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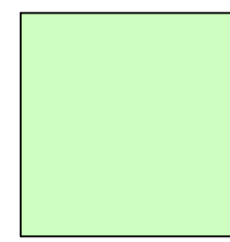
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A 16/12/24 elevation titles amended			
rev:	date:	description:	
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Project: 197 Bury Road Rawtenstall PROPOSED ELEVATIONS		scale: as noted @ A1 date: Nov 2024 drawn: IS	
Client: Armstrong B & M		Dwg. Nr. A331-02/A	

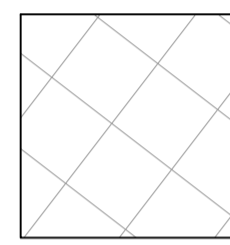
LANDSCAPING LEGEND



Denotes area of mixed shrub planting



Area of soft landscaping to be leveled and reduced to provide min 150mm clean topsoil cover - finish with good quality turf for regular cutting



denotes permeable interlocking concrete pavement (PICP)

PROPOSED TIMBER BIN STORE and BIKE SHELTER SITED ON 150mm CONCRETE APRON

PROPOSED TIMBER BIN STORE

RIDGE LEVEL 183.94

EAVES LEVEL 183.70

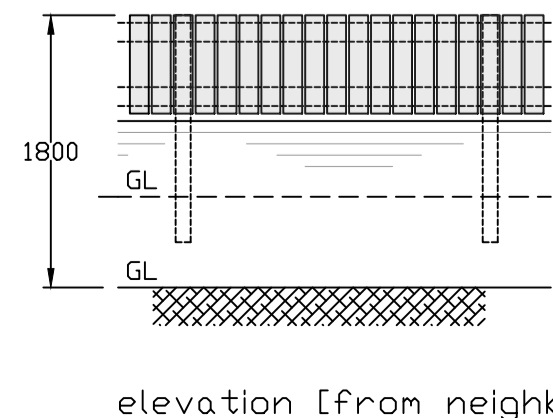
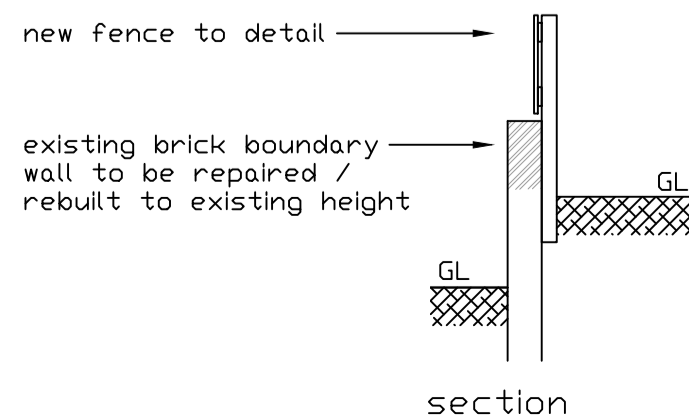
EAVES LEVEL 186.14

EAVES LEVEL 185.57

RIDGE LEVEL 188.95

PROPOSED REAR BOUNDARY DETAILS

scale 1 - 50



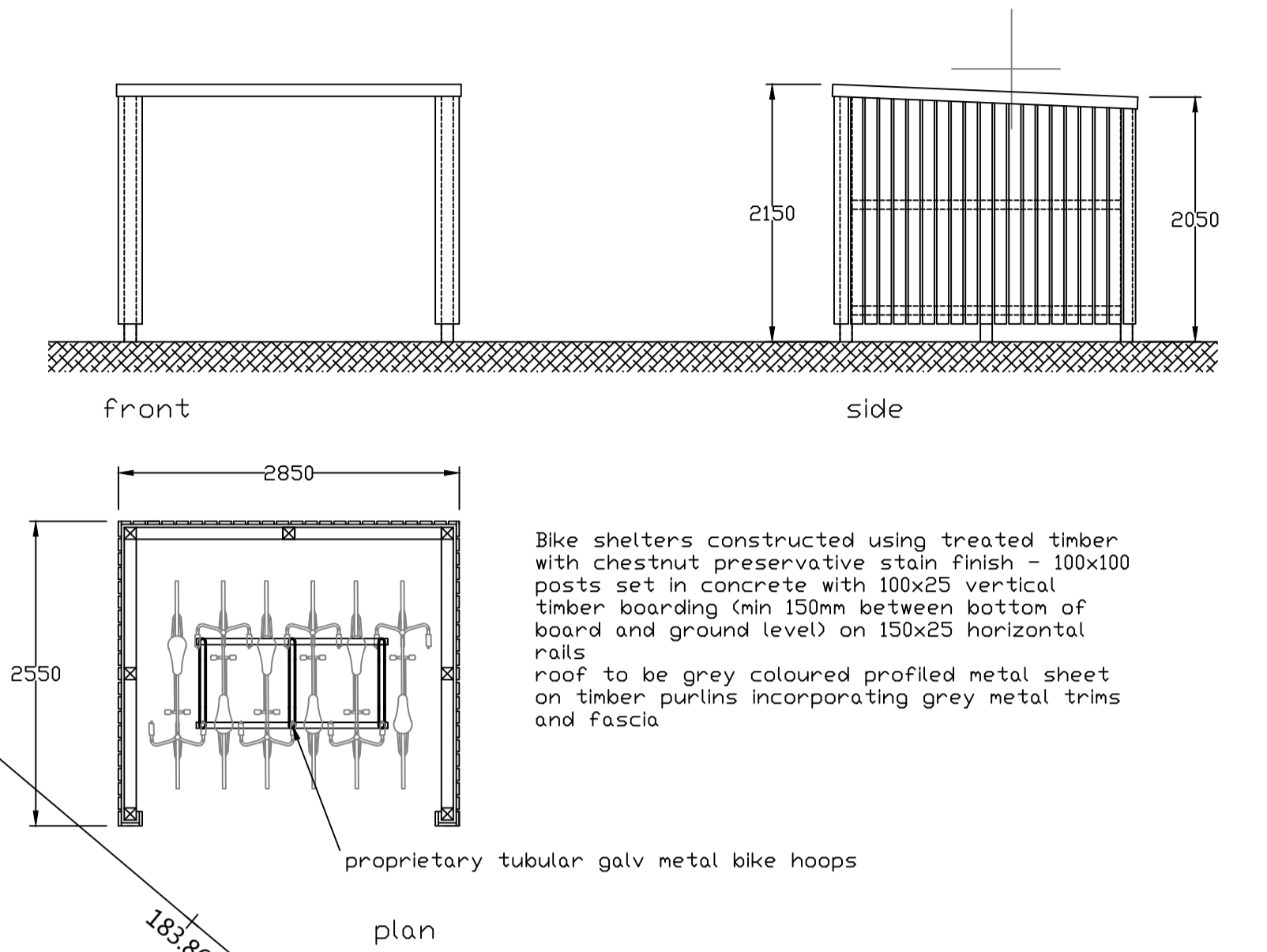
fence constructed using treated timber with chestnut preservative stain finish - 100x100 posts set in concrete with 100x25 vertical timber boarding (min 150mm between bottom of board and ground level) on 150x25 horizontal rails

PROPOSED SITE PLAN

scale 1 - 50

PROPOSED BIKE [6nr] SHELTER DETAILS

scale 1 - 50



Bike shelters constructed using treated timber with chestnut preservative stain finish - 100x100 posts set in concrete with 100x25 vertical timber boarding (min 150mm between bottom of board and ground level) on 150x25 horizontal rails
roof to be grey coloured profiled metal sheet on timber purlins incorporating grey metal trims and fascia

proprietary tubular galv metal bike hoops

EXISTING FOOTPATH RETAINED AND PATCHED REPAIRED

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A 11.25 landscaping details shown; bike store and rear wall details shown	
revidate:	description
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Project: 197 Bury Road Rawtenstall PROPOSED SITE PLAN	scale: as noted @ A1 date: Nov 2024 drawn: IS
Client: Armstrong B & M	Dwg. Nr. A331-03/A

BURY ROAD



BLACK BULL

195A

J56 YBB




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