

Application No: 2008/0553

Application Type: Full Application etc

Proposal: Demolition of concrete garage/carport, conversion and extension of stables to form single dwelling for limited period.

Location: Land adjacent to Park View Cottage, Cowpe Road, Waterfoot.

Report of: Executive Director of Regulatory Services

Status: For Publication/Not for Publication - *delete as required*

Report to: Development Control Committee

Date: Date of Committee 1 September 2008

Applicant: Mrs. Kath Lingfield

Determination Expiry Date: 24 September 2008

Agent: Walsh Architects

REASON FOR REPORTING

Tick Box

Outside Officer Scheme of Delegation

Member Call-In X

Name of Member: Cllr. Jim Pilling

Reason for Call-In: Although I applaud the Council's strategy to limit new developments in rural areas, I truly feel this proposed new house would actually be an improvement on the present structures. The new dwelling would be very much "tucked away", architecturally it would be in keeping with the feel of the area and the size would be smaller than the structures which it would replace. The applicants are now in their 70's and are finding that their mobility problems restrict them from moving around their home at Park View Cottage. I feel that in certain situations making an exception is right thing to do.

More than 3 objections received

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.

APPLICATION DETAILS

1. The application site

1.1 The site comprising a timber clad and framed stable block, four no. concrete panelled garages/car ports and a large yard area is located, approximately 60m on the easterly side of Cowpe Road, Waterfoot. Access to the site is gained via a narrow access road from Cowpe Road. The site is surrounded by open land all around. A block of terraced properties is located in close vicinity of the site on Boarsgreave Lane.

2. Relevant Planning History

2.1 Planning application ref. 2008/0329 for the demolition of garage/car ports, conversion and extension of stables to form a single storey dwelling was withdrawn on 22 July 2008.

3. The Current Proposal

3.1 The proposal involves the demolition of the existing concrete panelled garages/car ports and conversion and extension of the stables to form a detached dwelling. It is proposed that the existing stables block would be extended by the construction of a single storey extension (approximately 6.6m x 4.3m) on its north-easterly side utilising part of the cleared site.

3.2 It is proposed that the existing four no. small windows on the front elevation of the stables would be replaced with five no. new large timber framed windows and the existing four no. doors with one timber door located in a central place. The existing profiled asbestos roof of the stables would be replaced with bituminous felt roof. It is proposed that existing external walls of the extension would be timber clad and the roof constructed in bituminous felt to match the existing.

3.3 In support of the application, the applicant states:

- We are in our 70's and intend to convert the stables so that we can enjoy living in the vicinity of Boarsgreave and Cowpe as we have done for many years.
- Currently we are living in the adjacent cottage on Park View on Cowpe Road. In the coming years we will find it increasingly difficult to not only maintain the cottage due to its large size and garden area but also access comfortably with the split levels and awkward on-street parking arrangements.
- We wish to convert the stables for the rest of our lives, after which time the approval would expire. There is therefore no longer gain in housing supply.

- The stables are located close to the residential area and have a sub-urban atmosphere.

4. Policy Context

4.1 National Planning Guidance

PPS1 – Delivering Sustainable Development
PPS3 - Housing
PPG13 - Transport
PPG 24 – Planning and Noise

4.2 Development Plan Policies

Regional Planning Policy

RPG13
Draft RSS

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy
Policy 5 – Development Outside of Principal Urban Areas etc.
Policy 7 - Parking
Policy 12 - Housing Provision

Rossendale District Local Plan (Adopted 1995)

DS5 – Development Outside the Urban Boundary & Green Belt
DC1 - Development Criteria
DC4 - Materials

4.3 Other Material Planning Considerations

LCC Parking Standards
RBC Core Strategy
RBC Interim Housing Policy Statement (July 2008)
RBC Housing Market Assessment (September 2007)

5. CONSULTATIONS

LCC (Highways) - No comments

6. REPRESENTATIONS

6.1 A site notice was posted on 18 August 2008 and the relevant neighbours were notified by letter on 7 August 2008 to accord with the General Development Procedure Order.

6.2 No comments have been received to date.

7. ASSESSMENT

7.1 In dealing with this application the main issues to consider are:

1. Principle of the development
2. Housing Policy

3. Neighbourhood amenity
4. Highway issues.
5. Design/appearance

Principle

- 7.2 In the adopted Local Plan, the application site lies within a Countryside Area, wherein Policy DS5 would preclude development other than for the purposes of agriculture, forestry or other uses appropriate to a rural area. As such, it is considered that the proposal for the conversion of the existing stables into a dwellings (residential use), is contrary to the objectives of policy DS5 and is therefore unacceptable in principle.
- 7.3 In accordance with PPS7 (paragraph 17); Policy 5 of the Joint Lancashire Structure Plan encourages the conversion of buildings outside villages and other settlements for employment generating uses. Since the proposed development will not provide such an opportunity, it is considered that the proposed development conflicts with the objectives of Policy 5 of the Joint Lancashire Structure Plan and is therefore unacceptable in principle.

Housing Policy

- 7.4 The main issue which needs to be considered in relation to Housing Policy is that of housing over-supply.
- 7.5 PPS3 sets out Government guidance on a range of issues relating to the provision of housing. Paragraph 3 states that *“One of the roles of the planning system is to ensure that new homes are provided in the right place and at the right time, whether through new development or the conversion of existing buildings. The aim is to provide a choice of sites which are both suitable and available for housebuilding. This is important not only to ensure that everyone has the opportunity of a decent home but also to maintain the momentum of economic growth”*. Paragraph 8 goes on to say *“It is an essential feature of the plan, monitor and manage approach that housing requirements and the ways in which they are to be met, should be kept under regular review. The planned level of housing provision and its distribution should be based on a clear set of policy objectives, linked to measurable indicators of change...Reviews should occur at least every five years and sooner, if there are signs of either under or over-provision of housing land”*.
- 7.6 Consistent with housing policy contained in national and regional guidance, Policy 12 of the Joint Lancashire Structure Plan (adopted March 2005) has resulted in a housing allocation requiring a reduced rate of provision for several Lancashire Districts over the period 2001-2016, including Rossendale. Policy 12 states that 1,920 dwellings are required to be built within the Borough between 2001 and 2016 in order to adequately house the Borough's population. It further states that these are to be provided at the rate of 220 dwellings per year until 2006 and 80 per year thereafter. Having regard to the number of dwellings which have been built since 2001, and to the number for which permission exists, Lancashire County Council (Planning) is of the view

that this Council should rigorously enforce a policy of restraint on proposals coming forward that will create additional dwelling units.

- 7.7 In the supporting text following Policy 12 of the Structure Plan it states that: "*Where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable housing or special needs housing or form a key element within a mixed use regeneration project*".
- 7.8 At its meeting in June 2006, Cabinet received a Housing Land Monitoring Report, setting out the latest position in relation to provision of housing. The report to Cabinet says of the Monitoring Report: "*It shows that the number of dwellings which have a valid planning approval exceed the requirements of the Joint Lancashire Structure Plan (JLSP). Anticipated completions have also been considered and this will significantly exceed the provisions of just 80 that the JLSP requires on an annual basis for the period 2006 to 2016*". The Draft Regional Spatial Strategy has not progressed to the stage that its contents can have a greater weight than Policy 12 of the adopted Structure Plan and the Regional Guidance it was founded upon.
- 7.9 A Revised Interim Housing Position Statement and an Affordable Housing Position Statement were approved by Council in January 2007. However, the need to continue to constrain the supply of housing land was considered again in December 2007 by Cabinet and these documents have now been revised as the Interim Housing Policy Statement. This document sets out that applications received on or after 20/12/07 will be considered against the criteria set out in this policy statement. The application was submitted after the approval of this document and will therefore be assessed against its provisions.
- 7.10 The Council's Interim Housing Policy Statement (July 2008) accepted the contention that the Council would over-shoot its housing allocation and the permissions now granted should be limited to those it set out :

NEW RESIDENTIAL DEVELOPMENT WITHIN THE REGENERATION PRIORITY AREAS (Appendix A) & MAIN DEVELOPMENT LOCATIONS (Appendix C)

Within the regeneration priority areas and main development locations new residential development will be encouraged where:

- 1. It uses existing buildings/previously developed land or is for replacement dwellings; and*
- 2. It makes an essential contribution to affordable housing (as summarised overleaf); and*
- 3. It is built at a density between 30 and 50 dwellings per hectare (where appropriate the higher density of 50 dwellings per ha will be expected); or*
- 4. Proposals are for solely affordable and/or special needs housing as defined in the Glossary.*

NEW RESIDENTIAL DEVELOPMENT WITHIN THE URBAN BOUNDARY OF OTHER SETTLEMENTS IN ROSSENDALE – (Appendix B)

Within the urban boundary of other settlements in Rossendale, new residential development will be encouraged where:

- 1. It uses existing buildings/previously developed land or is for replacement dwellings; and*
- 2. It makes an essential contribution to affordable housing (as summarised overleaf) and uses previously developed land/buildings; and*
- 3. It is built at a density of no less than 30 dwellings per hectare; and*
- 4. Residential schemes would not undermine the focus for most residential development to be in the main development locations (Appendix C) and regeneration priority areas (Appendix A) where the sustainability of the proposals can be demonstrated; or*
- 5. Proposals are for solely affordable and/or special needs housing as defined in the Glossary.*

NEW RESIDENTIAL DEVELOPMENT OUTSIDE THE URBAN BOUNDARY OF SETTLEMENTS IN ROSSENDALE

Outside the urban boundary of settlements in Rossendale, new residential development will be permitted where:

- 1. Proposals are for solely affordable and/or special needs housing as defined in the Glossary; or*
- 2. It is accommodation for agricultural or forestry workers, subject to an assessment of the need for the unit.*

Accordingly, it is appropriate to consider the application in relation to the criteria of the Interim Housing Policy Statement.

The proposed development is neither for solely affordable and/ or special need housing nor for the provision of agricultural or forestry workers accommodation. The proposal is therefore contrary to the general thrust of Housing policy to be applied in a situation of housing oversupply. With respect particularly to the issue of oversupply, the proposal does not meet any of the criteria of the Council's own Interim Housing Policy Statement. The applicant has not made a case in this respect to warrant permission being granted as an exception to Policy 12.

Highway Issues

- 7.14 The Highway Authority is satisfied that the proposed access, car parking/turning areas are adequate and would not be detrimental to highway safety.

Neighbouring Amenity

- 7.15 The application property is located in a confined location away from the residential properties on Cowpe Road and Boarsgreave Lane. Due to its location and relationship with the adjacent buildings, it is considered that the proposal would have little detrimental impact on the amenity of the neighbouring properties.

Design/appearance

- 7.16 It is proposed that the existing asbestos sheeting roof would be replaced with the bituminous felt and new timber framed windows/doors installed in the front elevation of the stables. Although the new windows would be of larger size and more in number compared with the existing, due to their design and materials, it is considered that they would have little impact on the character of the building or the area. Similarly, the proposed extension would be built in materials to match those of the stables and would have little detrimental effect on the character of the area. In terms of its design and appearance, the proposed development is acceptable.

8. CONCLUSION

- 8.1 In view of the location of the site within the Countryside Area and the above stated policy constraints, it is considered that the proposal would contribute towards an inappropriate excess in housing-supply provision, which is unacceptable. It is considered that the arguments put forward by the applicant in support of the proposal do not sufficiently outweigh the presumption of refusal. The conversion of the existing stables and construction of an extension to form a dwelling is contrary to policies 5 and 12 of the Lancashire Structure Plan and DS5 of the Rossendale District Local Plan and is therefore unacceptable.

9. RECOMMENDATION

It is recommended that permission be refused for the following reasons:

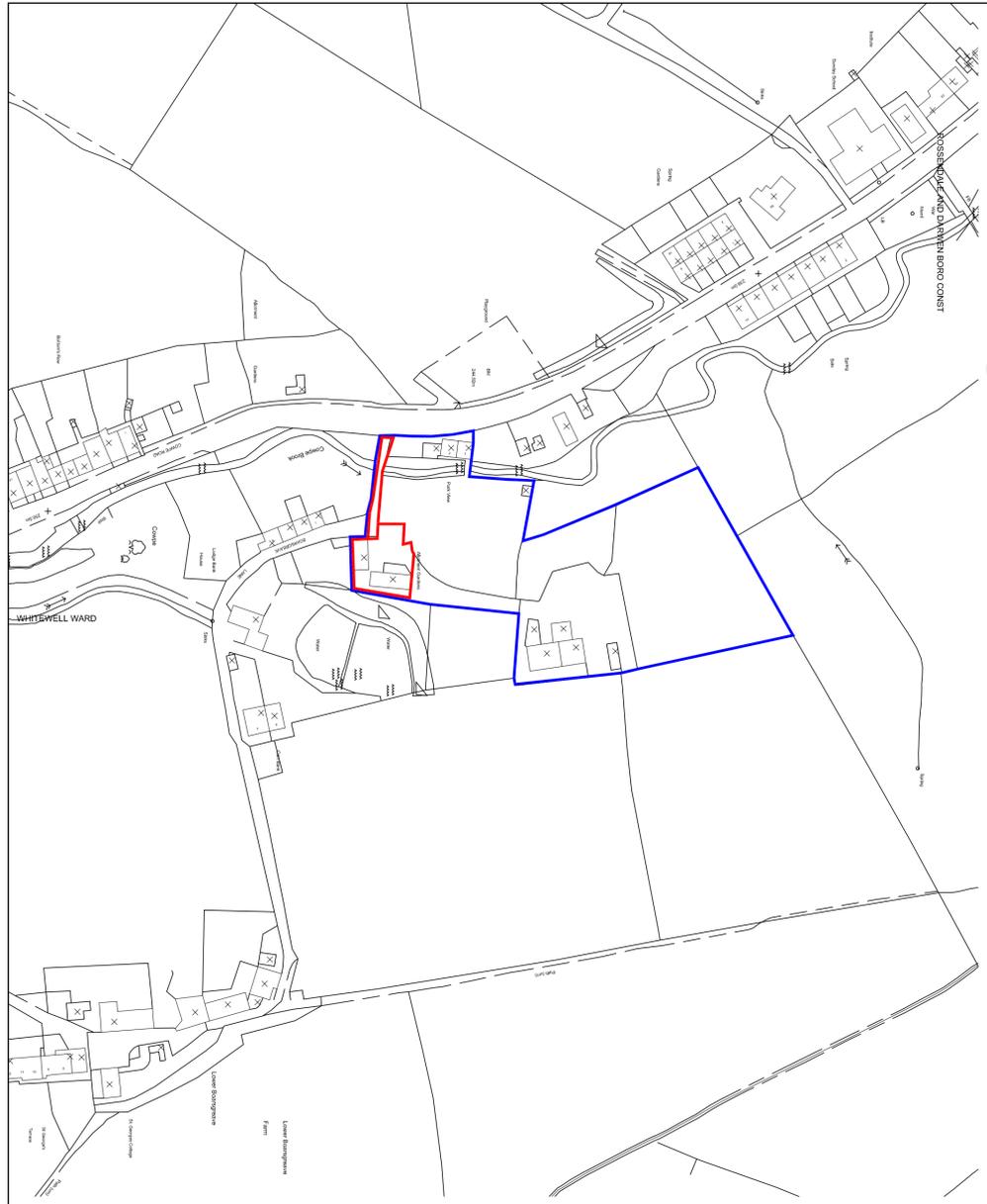
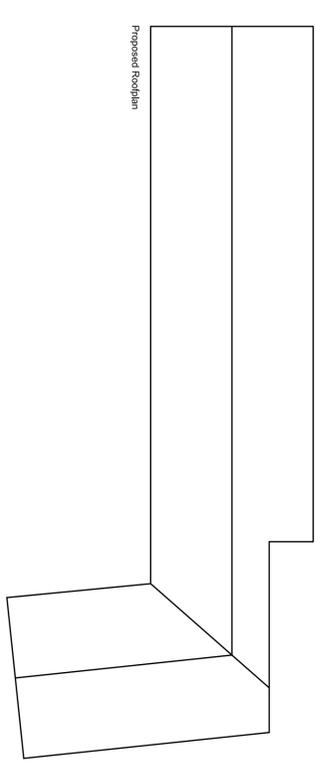
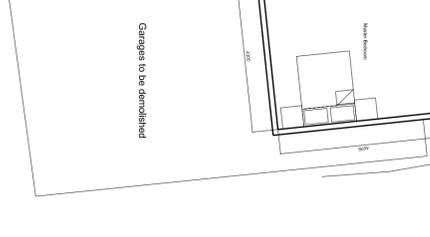
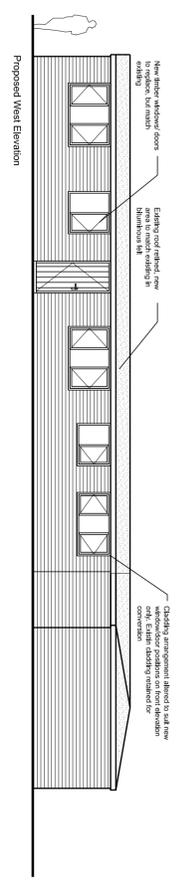
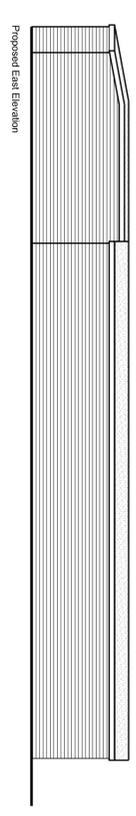
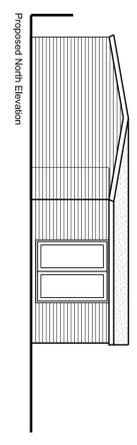
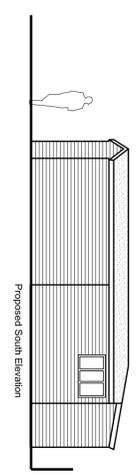
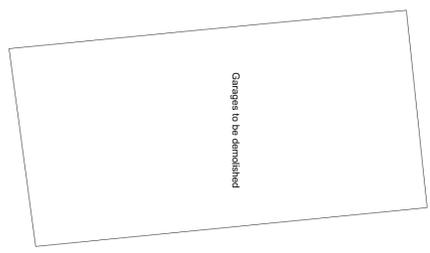
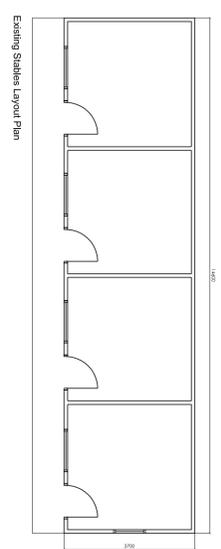
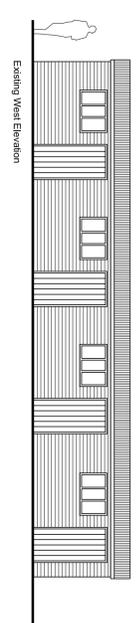
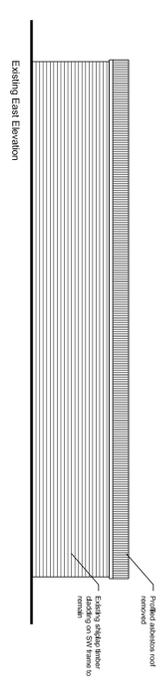
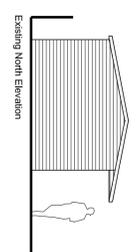
1. The proposed development is not appropriate development for a Countryside Area and is contrary to the provisions of PPS7, Policy 5 of the adopted Joint Lancashire Structure Plan and Policy DS5 of the adopted Rossendale District Plan.
2. The proposed development would contribute towards an inappropriate excess in housing-supply provision, contrary to the provisions of PPS3, Policy 12 of the adopted Joint Lancashire Structure Plan and the Rossendale BC Interim Housing Policy Statement (July 2008). In this instance, the case has not been advanced to warrant an exception to policy being made.

Contact Officer	
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Position	Planning Officer
Service / Team	Development Control

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*LOCATION PLAN TO BE PROVIDED
ATTACH ALL APPENDICES*

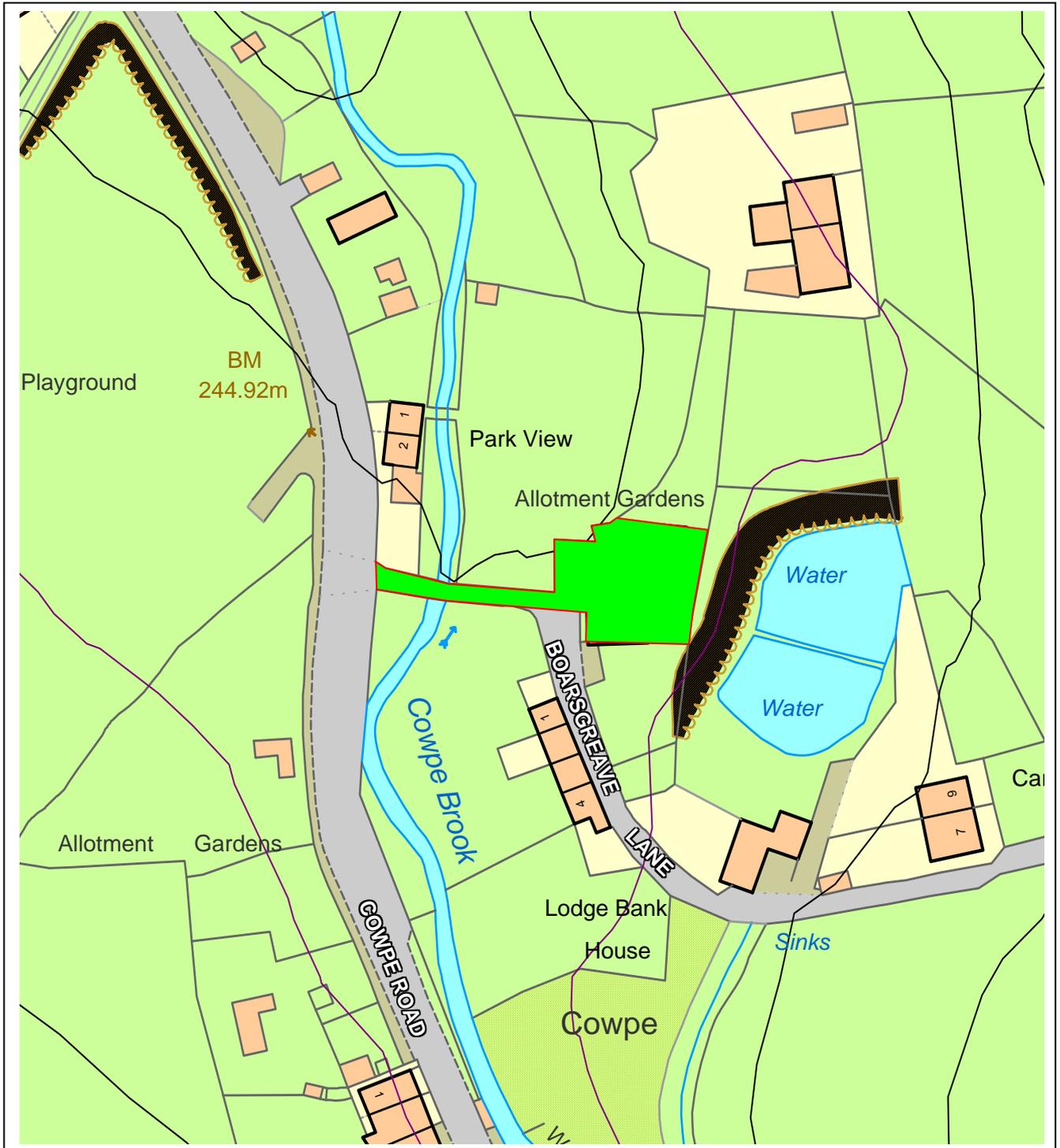
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Location 2008/553



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