

Applications Recommended for Approval

APP/2017/0458 and
APP/2017/0459

Cliviger with Worsthorne Ward

Full Planning Application and Listed Building Consent

Sub-division of farmhouse to form two dwellings (Retrospective) (APP/2017/0459)

Listed building consent for internal alterations to Sub-divide farmhouse to form two dwellings (Retrospective) (APP/2017/0458)

ROWLEY FARM ROWLEY LANE

Background:

These applications are retrospective as the works to sub-divide this Grade II listed farmhouse at the historic farm settlement of Rowley have already been carried out.

The farmhouse sits adjacent to Rowley Hall (Grade II listed) and within the farmstead of Rowley, accessed from the farmyard which consists of a barn and shippon which are subject to concurrent applications (APP/2017/0454 and APP/2017/0455) for their conversion to residential use as well as a former barn that has been previously converted to two dwellings (the Coach House and Stables) and outbuildings which provide garaging.



The farmhouse was built late 18th Century with 19th Century alterations which is likely to have included its front façade. There is evidence that the building was previously occupied as two dwellings, although has more latterly the farmhouse has been in family occupation for a number of generations and closely associated with the running of the farm which ceased as a working farm in 1995.

No external alterations are proposed to create the proposed sub-division of the farmhouse into a pair of semi-detached houses. Internal alterations are also minimal, involving the formation of a second staircase and the closing of a doorway at the

ground and first floors. The proposal provides 2no. two bedroom houses. No new physical boundaries would be formed around the properties and parking would be provided in the existing garages in the farmyard and an open parking space.

Relevant Policies:

Burnley Local Plan Second Review

GP2 – Development in rural areas

GP3 – Design and quality

E10 – Alterations, extensions, change of use and development affecting listed buildings

TM15 – Car parking standards

Burnley's Local Plan – Submission Document, July 2017

SP1 – Achieving sustainable development

SP4 – Development strategy

SP5 – Development quality and sustainability

HE2 – Designated heritage assets

IC1 – Sustainable travel

IC2 – Managing transport and travel impacts

IC3 – Car parking standards

National Planning Policy Framework

Site History:

None.

Consultation Responses:

LCC Highways

No objections.

Publicity

Objections have been received from the adjoining cottage (Rowley Cottage) and Rowley Hall, the latter being submitted by Kirkwells planning consultancy. A further letter has been received from Rowley Hall which maintains their objection following the receipt of various amendments and additional information. The main points of objection are summarised below:-

- Impact on the heritage of Rowley as an historic settlement, originating with the Hall (1593) followed by the Farm (late 18th Century onwards with its array of associated farm buildings.
- Where there is harm to a heritage asset there is a statutory presumption in favour of preservation and against the grant of planning permission.
- The development will erode its character by the subdivision of all the farm, barn and curtilage which would be detrimental to the setting of the listed buildings.
- Issues with poor visibility at the junction of Rowley Lane and Brunshaw Road where there is a bus stop on either side of the road.
- Access from the Rowley picnic area onwards is via a private road which is single track, bounded by a wall around Rowley Hall and fencing around the Brun Valley Forest Park which has paths used by walkers, riders and cyclists. Three (soon to be four) rights of way cross the access to the proposed development.

- There is no street lighting in the vicinity. Problems occur from visitors accidentally using the private road where access is narrow and without opportunities to turn around until the farm is reached. Farm vehicles and refuse vehicles will not reverse, making cars reverse all the way back to the farm. Reversing in the dark is dangerous; blind bend makes this more difficult.
- The road is in poor condition, is ungritted and turns to ice, also floods where there is a dip.
- The extra 4 houses in addition to the existing situation with 5 dwellings and farm traffic, will create significant problems and conflicts with the recreational uses promoted in the area.
- Would have a severe cumulative impact on the highway to the detriment of pedestrians, cyclists and horse riders
- Significant adverse impact on residential amenity due to impact on the privacy of the occupants of Rowley Cottage from a side window which is now being used as a bathroom and overlooks bedroom window.
- There is a lack of private amenity space for each dwelling.
- There is insufficient amenity space to accommodate the required car parking.
- Will affect the wildlife (foxes, deer, badgers, hares) and there is no evidence that the proposal would not detrimentally affect habitats of protected species.
- The tarmacking of the apron at the entrance to the farm will encourage more people to come and park up, night and day. Anti-social behaviour already occurs because of this. Request permission from owner to landscape this area to deter its use as a meeting place.

Planning and Environmental Considerations:

Principle of proposal

Policy GP2 permits limited development in the rural area. In this case, the sub-division of the farmhouse to two dwellings involves minimal physical works. The main issues relate to the sustainability of the proposal and the desire to preserve the special interest of the listed building and its setting, including the setting of the adjacent grade II listed Rowley Hall.

Impact on heritage assets

Policy E10 of the Local Plan and Policy HE2 of the emerging local plan seek to protect the character and historic interest of listed buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers upon local planning authorities a duty to have special regard to the desirability of preserving the interest of a listed building or its setting. The National Planning Policy Framework (the Framework) states that local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Where development would lead to substantial harm, the Framework indicates that it should be refused, whilst where the proposal would lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Rowley Farm is significant to the setting of the older (Grade II listed) Rowley Hall and the 19th Century buildings that are evident today would have replaced earlier buildings associated with the Hall. The external and internal alterations that are necessary to facilitate the sub-division of the farmhouse are minor and would lead to no significant

harm to the special interest or character of the farmhouse. The cobbled area outside of the farmhouse would be retained and would remain open, uninterrupted by any boundary treatment. Parking can be accommodated within two existing garages with an additional open parking space. The external changes to the farmhouse and its farmyard curtilage would therefore be minimal and would lead to less than substantial harm to both the special interest of Rowley Farm and its setting as well as the setting of the older and associated adjacent Rowley Hall. Inappropriate upvc windows which are insensitive to the historic features of the farmhouse have in the more recent past been installed in the farmhouse without listed building consent. To address this, the applicant agrees to the replacement of the upvc windows with suitable timber frames. A condition is therefore recommended to ensure that this is carried out within six months. With this provision, the proposal would not therefore have a significant impact on heritage assets.

Impact on residential amenities

A Core Planning Principle of the Framework is to seek a good standard of amenity for all existing and future occupants of land and buildings. Neighbour objections refer to loss of privacy and disturbance. No new windows are proposed to facilitate the conversion although an existing window which served the landing is now used as a bathroom window. The window is approximately 11.5m from the neighbour's first floor bedroom window but has recently been obscure glazed and will not therefore lead to an unacceptable loss of privacy. Despite the rear elevation of the farmhouse sitting on the boundary with the garden and property at Rowley Hall, there would be no overlooking windows and no significant impacts on amenities. The increase from one to two dwellings would have minimal impact on the general levels of activity and there would be no discernible impact on neighbouring properties in this respect.

The proposal would therefore have an acceptable impact on residential amenities.

Impact on highway safety

The Framework states that account should be taken of whether safe and suitable access to the site can be achieved and whether improvements can be made that cost effectively limit the significant impacts of the development. It also states that development should only be prevented or refused on transport grounds where the cumulative impacts of the development are severe.

Adequate car parking would be provided for the additional dwelling. Neighbour objections relate to the cumulative impact of additional traffic generation that would be created from this application and concurrent applications (APP/2017/0454 and APP/2017/0455) for the conversion of a barn and shippon to three dwellings. Together with the current proposal, this would increase the number of dwellings at Rowley from five to nine. The neighbour objections regarding the narrow and restricted nature of Rowley Lane and issues of visibility and passing are reported in the agenda reports for APP/2017/0454 and APP/2017/0455 which also being considered at this Committee. Given that the proposal has adequate parking for 2no. dwellings and would lead to a minimal level of new traffic generation, there are no substantive reasons to refuse permission on highway grounds. Notably, LCC Highways has no objections to the proposal. Some improvements to the condition and width of the part of Rowley Lane within the farm's current ownership are however proposed as part of the development of the proposed barn conversions and if permitted, would improve conditions for all users.

For the reasons set out above, the proposal is acceptable in highway terms.

Conclusion

The proposal would lead to no significant impact on the special historic interest of the Grade II listed farmhouse and the setting of the farmhouse and adjacent Rowley Hall and would not adversely affect existing residential amenities or highway safety. The proposal would therefore have no significant adverse impacts and would represent a reasonable form of sustainable development.

Recommendation for APP/2017/0458 : Approve Listed Building Consent

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: LBC Loc1 (1:1250 location plan), 2016-13-03 and 2016-13-04, received on 19 September 2017; 2016-02-07A, received on 6 November 2017; 2016-02-10, received on 18 December 2017; and, access road plan - GFP/2016-LP-20.12.2017, received on 20 December 2017.
3. No later than six months from the date of this permission, the existing upvc windows shall be replaced by timber window frames in accordance with details of their design and appearance which shall be first submitted to and approved in writing by the Local Planning Authority. The timber window frames shall thereafter be retained.

Reasons

1. Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. The existing windows have previously been installed without the appropriate consent and are inappropriate and insensitive to the historic nature of this Grade II listed building. Replacement window frames are therefore necessary to preserve the special interest and character of this heritage asset, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006) and Policy HE2 of Burnley's Local Plan, Submission Document (July 2017).

Recommendation for APP/2017/0459 : Approve

Conditions

1. The development must be begun within three years of the date of this decision.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: LBC Loc1 (1:1250 location plan), 2016-13-03 and 2016-13-04, received on 19 September 2017; 2016-02-07A, received on 6 November 2017; 2016-02-10, received on 18 December 2017; and, access road plan - GFP/2016-LP-20.12.2017, received on 20 December 2017.
3. No dwelling shall be first occupied until its associated parking has been provided and is available for use in accordance with the details as indicated on the approved plans. The approved car parking for each dwelling shall thereafter be retained at all times.
4. No later than six months from the date of this permission, the existing upvc windows shall be replaced by timber window frames in accordance with details of their design and appearance which shall be first submitted to and approved in writing by the Local Planning Authority. The timber window frames shall thereafter be retained.

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure adequate access and parking to cater for the development, in accordance with Policy GP3 and TM15 of the Burnley Local Plan, Second Review (2006).
4. The existing windows have previously been installed without the appropriate consent and are inappropriate and insensitive to the historic nature of this Grade II listed building. Replacement window frames are therefore necessary to preserve the special interest and character of this heritage asset, in accordance with Policy E10 of the Burnley Local Plan, Second Review (2006) and Policy HE2 of Burnley's Local Plan, Submission Document (July 2017).

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16/01/17