

Application Recommended for Approval
Briercliffe

COU/2020/0238

Town and Country Planning Act 1990
Proposed change of use from change of use of a garage and stable block to a wellness centre
Long Hey House, Halifax Road, Briercliffe

Background:

The proposal involves the change of use of a building which was erected for use as a garage/store/stables; the building is within the rural area within the area of Briercliffe. Some alterations/additions in respect of windows etc. would be required to the existing building.

An objection has been received.

Relevant Policies:

Burnley's Local Plan July 2018

SP1 – Achieving Sustainable Development
SP4 – Development Strategy
SP5 – Development Quality and Sustainability
EMP5 – Rural Business and Diversification
EMP6 - Conversion of Rural Buildings
IC3 – Car Parking Standards

National Planning Policy Framework Feb 2019

Site History:

12/1994/0111 – proposed extension – granted

APP/2012/0001 – proposed detached garage, stable block, and driveway – granted

APP/2016/0326 – erection of porches to S and W elevations, formation of new window opening to N elevation, alterations to roof etc. of previous approval – c/c

Consultation Responses:

Highway Authority – Do not raise any objections to the proposals.

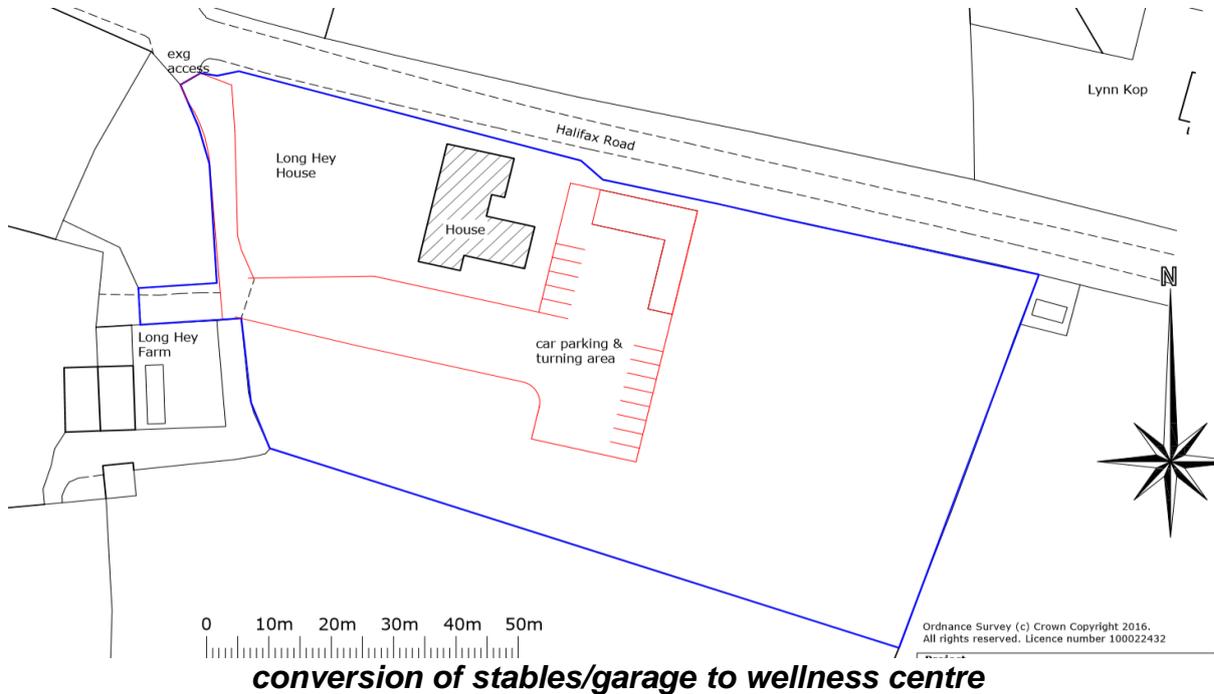
Burnley and Pendle Ramblers Group – Do not object to the proposals.

LCC Public Rights of Way Officer (there is a public footpath crossing the site) – he was involved in a footpath diversion at the property in 2009 (with previous owners of the site); however, despite the timescales the diversion has not yet been finalised as the works on the new routes were not completed and therefore not inspected and certified. Discussions are taking place with the current owners of the site.

Councillor Lishman – Objects to the proposals on the grounds of over-development of a small site; increased road traffic; business development in a rural area.

Planning and Environmental Considerations:

The property consists of a residential dwelling together with newly erected outbuildings (garage, stables, and store). The property is located within the rural area on the outskirts of Burnley.



existing building

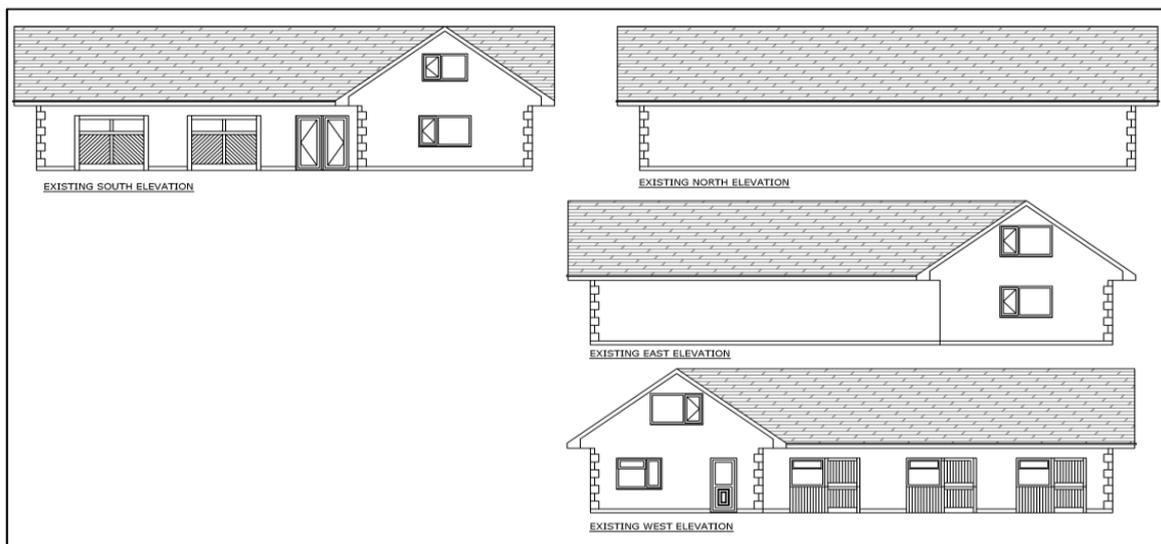
The proposed wellness centre would provide services for individuals living in the community, centred on the prevention and reduction of mental health issues. The centre would provide; counselling, massage, cooking and baking activities, allotment/ horticultural activities, workshops (art, craft, design, technology and mechanical), arts,

crafts and activity classes, and a training room would be provided to educate and promote all areas of wellbeing. The proposed opening hours are 9am until 5pm Monday to Saturday.

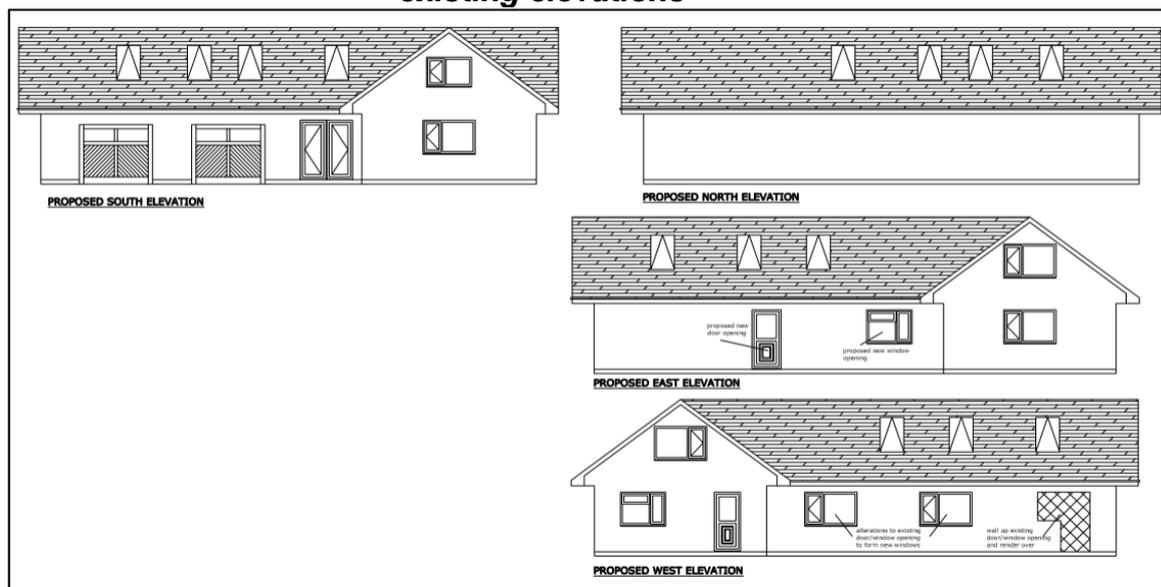
The applicant is exploring avenues with various providers to secure funding and resources. The centre would engage with both privately funded and commissioned individuals.

The applicant aims to provide a shuttle collection and drop off service for individuals or on-site parking for those who wish to drive there.

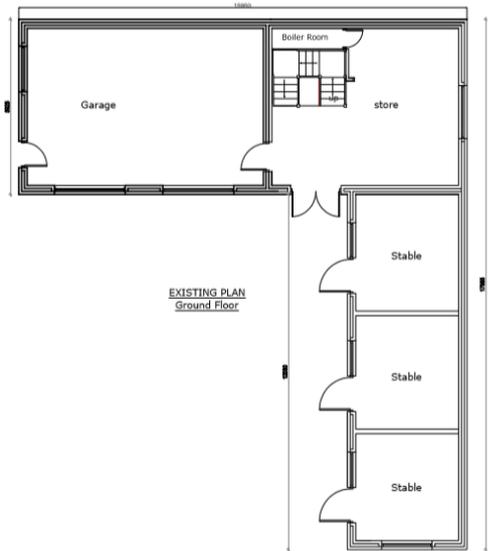
The main consideration is whether the use as a wellness centre is acceptable in this location. The most relevant Local Plan policies are EMP5 – Rural Business and Diversification, and EMP6 – Conversion of Rural Buildings. Paragraphs 83 and 84 of the National Planning Policy Framework in respect of supporting a prosperous rural economy are also relevant.



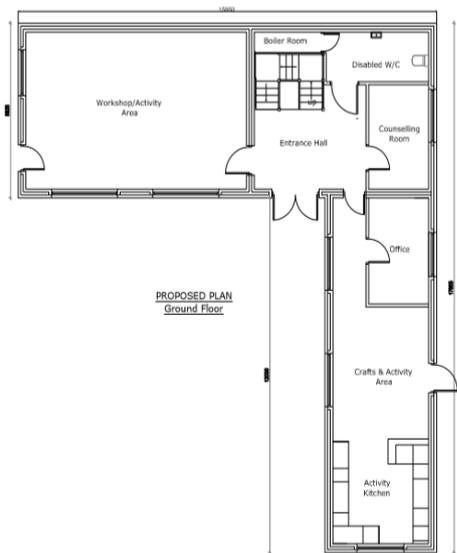
existing elevations



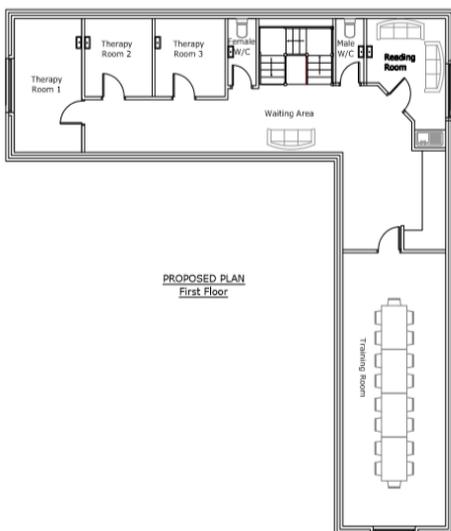
proposed elevations



existing layout - ground floor only



proposed layout – ground floor



proposed layout – 1st floor

NPPF - Supporting a prosperous rural economy

83. *Planning policies and decisions should enable:*

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses, and places of worship.*

84. *Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*

Policy EMP5: Rural Business & Diversification

1) *Proposals to expand existing or establish new businesses, including local retail uses and tourist facilities in the open countryside or within the main and small villages (Tier 3 and 4) will be supported where these meet the other relevant policy requirements of the Plan and where these:*

- a) Support the retention or growth of an existing business or the establishment of a new enterprise and are at a scale that is appropriate to and in keeping with the area in which they are located;*
- b) Comprise uses and services appropriate to a rural area;*
- c) Represent appropriate home working enterprises at an existing dwelling;*
- d) Are located within or immediately adjacent to the Development Boundaries or are well related to an existing group of buildings;*
- e) In the design of any buildings, access and car parking arrangements are in keeping in terms of their scale and character with the surrounding landscape and would not lead to an increase in traffic levels beyond the capacity of the surrounding local highway network; and*
- f) Do not have an unacceptably negative impact on residential amenity.*

2) *In addition to the above requirements, the Council may also consider favourably new tourist facilities in the wider open countryside where:*

- a) The proposed facility by virtue of its specialist nature has a clear need to be located close to an existing tourism asset; or*
- b) It can be demonstrated through a supporting statement that the facilities will add to the borough's tourism offer and there are no suitable sites within the Development Boundaries.*

3) *In appropriate cases, permitted development rights will be withdrawn in order that subsequent changes of use or alterations and extensions can be properly considered.*

Policy EMP6: Conversion of Rural Buildings

- 1) *The re-use and conversion of existing buildings outside of the Development Boundaries to new uses will be supported where they meet other relevant policy requirements and:*
 - a) *The building is of a permanent and substantial construction, is structurally sound and capable of conversion and any important architectural and historical features are retained;*
 - b) *The conversion can be carried out without major extensions to the existing building or the construction of ancillary buildings;*
 - c) *The conversion does not adversely affect the character, rural setting, and appearance of the surrounding landscape;*
 - d) *Suitable services can be made available and vehicular access can be created without the need for substantial engineering works or works which would significantly adversely affect the character and landscape setting and/or the locality;*
 - e) *The proposal safeguards the roosting or nesting habitat of any Protected Species present; and*
 - f) *The type of use proposed is of a scale and type that is appropriate to a rural area and the specific location.*

- 2) *In appropriate cases, permitted development rights will be withdrawn to ensure future alterations, extensions and minor works which could have any significant adverse impact on the landscape can be properly considered.*

Planning Considerations

The applicant states that the rural location, with its quiet, tranquil space and views would be conducive to the overall aims of the business which is to provide a service which improves mental wellbeing.

The building which was erected as a garage and stables would require some minor alterations consisting of the insertion of a number of rooflights (on all elevations of the roof) in order to provide additional 1st floor rooms, the insertion of an additional door and window on the eastern elevation and changes to the stable doors (two to be changed to windows and the other to be blocked up. There are no properties close by that would be affected by the additional windows created.

Local Plan policy EMP5 in relation to rural businesses and diversification supports the establishment of new businesses within the open countryside subject to certain criteria.

- a) The building is already in-situ, it is small scale and in keeping with the area within which it is located.
- b) The use as a wellness centre would incorporate various activities, and it is considered that the use would benefit by being located within a rural area where there is peace and tranquillity. Although the use is not a traditional rural

use it is considered to be appropriate given the benefits provided. The proposed use would not have a detrimental effect on the rural area.

- c) The applicant already operates Pride and Self Care Ltd from Long Hey House and the proposals would consist of the next step in the expansion of the business (there would be 5 full time employees at the wellness centre).
- d) The property is not located within or immediately adjacent to the development Boundary, however, the proposal would utilise a building within the existing group of buildings.
- e) Existing buildings would be utilised and there are adequate parking facilities for persons attending the small-scale wellness centre. It is proposed to use a shuttle bus to pick up some clients and others will drive to the facility. The Highway Authority have no objections to the proposals.
- f) The applicant lives at the dwelling on site and the proposals would not have a negative effect on any other dwellings in the area.

Local Plan policy EMP6

- a) The building newly built and of a permanent construction and is capable of conversion with minor alterations.
- b) No extensions are required to the building.
- c) The small alterations in the form of additional windows would not adversely affect the character, rural setting, and appearance of the surrounding landscape.
- d) There are existing services and an existing vehicular access to the building.
- e) The building is newly constructed and would not affect protected species.
- f) The proposal is of a small scale and appropriate in this location given the beneficial elements of the peace and tranquillity of the countryside.

Public footpath

A public footpath is shown to cross the site on the definitive footpath map. However, the previous owners of the property sought to divert the footpath in 2009. The current owners state that the footpath users still access the footpath which now has a slightly different route; however, the LCC footpaths office says that the diversion of the footpath is still ongoing and the process has yet to be completed. This is an issue that is in the process of being resolved and should not affect the current proposals.

Parking

Adequate parking (12 spaces would be provided) is available on site for use by persons attending the centre. It is also proposed to provide a shuttle pick up facility. The Highway Authority have no objections to the proposals on highway grounds.

Conclusion

The proposed use which is of small scale is considered to be in accordance with the National Planning Policy Framework and the relevant policies of Burnley's Local Plan July 2018.

Recommendation

Grant subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

2 The development permitted shall be carried out in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings.

3. The use hereby permitted shall only take place between the hours of 09.00 and 17.00 on Mondays to Saturdays.

Reason: To satisfactorily protect the residential amenities of nearby occupiers and in accordance with policy EMP5 of Burnley's Local Plan July 2018.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for the purposes specified in the application and for no other purpose (including any other purpose in Class D1 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason: This use only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country Planning (GPD) Order 2015 are not acceptable to the Local Planning Authority in this location without an assessment as to the sustainability credentials of a different use and to enable the local planning authority to consider any future change having regard to policies EMP5 and EMP6 of Burnley's Local Plan July 2018 and the NPPF.