

**Application Recommended for Approve with Conditions FUL/2020/0411  
Gawthorpe**

Town and Country Planning Act 1990

Convert the existing large 5 bedroom dwelling into 1 x 1 bedroom flat and 1 x 3 bedroom maisonette

7 Stockbridge Road Padiham Lancashire BB12 7HA

**Applicant:** Dr Colin Harper-Penman

This application is brought before Development Control Committee as objections have been received.

**Background:**

The site is located within the defined development boundary as designated in Burnley's Local Plan in which SP4 applies.

This stone, gable property sits on the corner of Stockbridge Road and Russell Terrace. The attached property is No. 9 Stockbridge Road. The site is surrounded by other terraced properties and within a 2 minute walk to local shops and amenities within Padiham town centre.



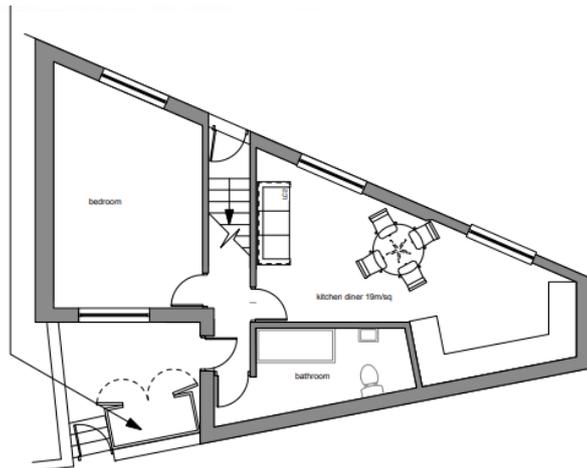
Images taken February 2021

## Proposal

The application seeks consent for the change of use from an existing 5 bed dwelling to 2 flats.

The proposed accommodation is as follows;

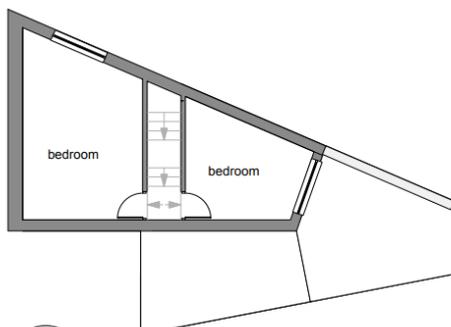
**Flat 1** - ground floor 1 bedroom, kitchen/diner and bathroom. Access is from Stockbridge Road with rear access also to the rear yard.



**Flat 2** – consisting of a bedroom, bathroom and kitchen/living on the 1<sup>st</sup> floor with a further 2 bedrooms on the 2<sup>nd</sup> floor.



2 Proposed First Floor maisonette  
scale 1:100



3 Proposed 2nd Floor maisonette

All bedrooms will have natural light from a window. The existing yard to the rear will be used to store refuse and recycling.

### **Relevant Policies:**

#### Burnley's Local Plan 2018

HS4 – Housing Developments  
SP5 – Development Quality and Sustainability

NPPF 2019

### **Article 35 Statement**

The Local Planning Authority has acted positively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework by assessing the proposal against relevant planning policies and all material considerations. The nature of the proposal has not necessitated any liaison with the applicant prior to determining to grant planning permission in accordance with the presumption in favour of sustainable development.

### **Site History:**

**APP/2017/0209** – Proposed conversion from dwelling into 1no. one bedroom apartment and 1no. three bedroom maisonette. Approved 27/6/17

**12/82/0146** – Renewal of consent for use of ground floor living room as private hire booking office (operating one vehicle) with provision of parking space at Stockbridge Road Garage. Approved April 1982.

**12/81/0115** – Use of ground floor living room as private hire booking office (operating one vehicle) with provision of parking space at Stockbridge Road Garage. Approved April 1981.

**12/80/0696** – Use part of ground floor as private hire booking office (operating one vehicle). Refused February 1981

### **Consultation Responses:**

**Highways** – There has been several revisions to the application which have been shared with LCC. The latest comments received on 15<sup>th</sup> Jan do not object to the application, subject to conditions:

*1. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.*

*Reason: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.*

*2. All refuse bins shall be kept within the curtilage of the property, except on the appropriate collection day.*

*Reason: To minimise the impact on pedestrian movements on the adopted highway.*

**Environmental Health** – No comments received at time of completing report.

**Neighbour comment:**

- Structural faults with the property
- Arrangements of refuse collection to the rear of the property is not suitable as this is the access for the ground floor flat
- Pressure on street parking as Russell Terrace occupiers use Stockbridge Road for parking
- Anti social issues with previous tenants

**Planning and Environmental Considerations:**

**The principle of development**

The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale.

A previous application approved in 2017 has established the principle of development of the site, however a new Local Plan was adopted in 2018 and therefore relevant policies need to be assessed.

**Main issues**

- Impact on the character of the area including design and appearance.
- Impact on amenity of neighbours
- Impact on highway network
- Other issues such as bin storage and cycle storage

Design: Impact on the character of the area

Policy SP5 of the adopted Local Plan amongst other considerations seeks new development to respect existing, or locally characteristics street layouts, scale, massing and use an appropriate palette of materials. This is detailed further in policy HS5, stating alterations and extensions to dwellings should be high quality in construction. This is further supported in the NPPF, Paragraph 124, which states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

The change of use does not involve any major alterations to the external appearance of the property and as such there will be little impact on the existing street scene. The character of the area is predominantly residential. The development considered to be acceptable in accordance with Policies HS5 and SP5.

Amenity: Impact on amenity of neighbours

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including reasoning of overlooking.

The scheme does not alter any existing windows openings. This scheme would not be detrimental to the amenity of neighbouring residents in terms of overlooking, loss of privacy or overshadowing and as such complies with policies HS4 part 3, HS5 and SP5.

Given the scale of the change of use and the creation of 2 bedrooms at 1<sup>st</sup> floor, officers do not consider there to be issues in terms of impact on the potential noise and disturbance with the attached property.

The neighbour objections are noted, structural issues are not considered as part of the planning application and would need to be picked up through building control. Concerns with regards to refuse storage have been appropriately conditioned.

#### Impact on the Highway Network

Paragraph 32 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Comments are noted from objection letters that there will potentially be increased pressure put on parking. Taking into consideration the comments of the Highway Authority; the nature of the proposed use; and the sustainability of the location it is considered that the impact on highway safety or local highway conditions would not be so detrimental as to justify refusal of the application.

#### Other issues; including bin storage, cycle storage

Bin storage will be located within the yard area to the rear of the property. This will then be wheeled onto the back street as all properties do within the area. It is acknowledged that area for refuse and cycle will be limited in the rear yard area.

There have been several versions of the cycle storage provision for the site. Given the rear yard area is limited, having a larger storage as suggested by LCC Highways for cycle storage would mean that the refuse bins would have a reduced space to be manoeuvred in and out onto the back street. On balance, version A of the applications would be the most appropriate for this site. Occupiers also have the option to take bikes into their flat if they choose to.

**Recommendation:** Approve subject to conditions

#### **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 constructed 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. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

Reason: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport.

4. All refuse bins shall be kept within the curtilage of the property, except on the appropriate collection day.

Reason: To minimise the impact on pedestrian movements on the adopted highway.

Senior Planner  
PF