

Application Recommended for Approval
Cliviger with Worsthorne Ward

APP/2013/0017

Full Planning Application
Proposed erection of a holiday-let bungalow
LAND ADJ TO THE HOLLINS RED LEES ROAD CLIVIGER

Background:

The application is for the construction of a bungalow, to be used as a holiday let. It would be built on the site of a previously approved double garage building and would be of approximately the same dimensions and materials as the garages, measuring 12.4 metres by 6.4 metres.

The planning permission for the garage is extant as the garage base has already been constructed, which has the effect that the garage could be completed without a further permission being required.



Proposed elevations of holiday let bungalow

The site is adjacent to The Hollins which is a Grade II Listed Building.

An objection has been received.

Summary of Reason for Decision:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

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

E27 - Landscape, character and local distinctiveness in Rural Areas and Green Belt

GP1 – Development within the Urban Boundary

GP2 - Development in the Rural Areas

GP3 - Design and Quality

TM15 - Car parking standards

Relevant Site History:

12/01/0391 – Proposed erection of two garages – permission granted in Nov 01

Consultation Responses:

- 1 Lancashire County Council (Highways) – comment that this is a small scale development which is unlikely to generate any significant traffic movements over and above the levels already experienced on the lane. No objections are raised on highway grounds.
- 2 Burnley Civic Trust – The Hollins is an historic house where there has been development in the past and it is considered that any new development will further erode the character of building, even though the bungalow has been designed to minimise its impact. The development should be refused as it will damage the character of the house in its historic setting.
- 3 United Utilities – No objections. The site should be drained on a separate system with only foul drainage connected to the public sewer. Surface water should be discharged to soak-away.
- 4 Residents have expressed some concern about the access driveway. There are concerns that if this land is enclosed it will restrict the width of the drive and prevent larger service vehicles from turning which could result in a highway safety issue.

Planning and Environmental Considerations:

The main issues relate to the principle of allowing a new holiday let in the rural area; the impact of the proposal on the adjacent listed building and the surrounding rural landscape; the design of the building; the impact on any biological or ecological features; sustainability issues including its location in relation to services and public transport alternatives to the private car; and the impact on vehicular movement and highway safety.

The Principle of the Development

The site is within the rural area where **Policy GP2** of the Local Plan aims to protect the rural area by strictly controlling new development. Appropriate uses would include those which help to diversify the rural economy, while being in keeping with the rural environment and generally proposals for tourism development would fall within this category.

The Government's Good Practice Guide for Planning for Tourism advises that tourist accommodation can bring economic benefits to an area, helping to diversify the rural economy but wherever possible when located in the rural area they should be placed in existing or replacement buildings.

The proposal is to build on the site of garages which have an extant planning permission and they may be lawfully completed under this permission. It would therefore be reasonable to consider the proposal for the holiday let, on the same site and of approximately the same dimensions as the approved garages, in the same way as the conversion of a building.

At the present time it would not be appropriate to allow an unrestricted dwelling in this location as the Local Plan housing policies aim to concentrate housing development

within the urban boundary and the borough has enough housing land in appropriate locations without having to approve new housing in the countryside . A condition restricting the use of the property to a holiday let would be appropriate to allow the local planning authority to consider any future proposals to change the use having regard to the material considerations at the time. To enable the occupancy to be monitored effectively, a condition which required the owner to keep a record of people staying at the property would be reasonable.

Impact on the setting of the Listed Building and the Surrounding Rural Landscape

The building would be close to The Hollins which is a Listed Building within a small group of historic properties. The Hollins was converted to two dwellings several years ago and the land immediately surrounding the building has been enclosed by garden walls, which effectively separate the proposed holiday let from the Listed Building. The bungalow would be approximately 30 metres away and having regard to its scale it would remain subservient to the main building and would not have an unacceptable impact on the character and appearance of the Listed Building or its setting, over and above the previously approved garages.



Policy E27 expects all new development to contribute to the protection, enhancement and restoration of the Borough's distinctive landscape. The development would not be prominent in the surrounding landscape, set within the context of an existing group of buildings. It would sit within an enclosed plot of land and there are several large trees surrounding the land, some of which are covered by a Tree Preservation Order.

Design and Materials

The building has been designed in simple traditional style and materials with minimal openings. It is single storey with a slated pitched roof and would comprise a lounge, kitchen, bathroom and two bedrooms.

The design is sympathetic to the character and appearance of the historic group of buildings and is acceptable.

Ecology Issues

The site is not designated as being of any special ecological interest. The siting of the holiday let would not involve removal or clearing of significant vegetation and there would be no known biological or ecological features which would be affected.

The base for the garages which is already in situ will be used so there would be no disturbance likely to occur over and above that already granted for the construction of the garages.

Sustainability

The site is not within a highly sustainable location in the rural area but it is served by a regular bus service into the town centre along Red Lees Road. There is a good footpath network in the wider area and in some respects this would be the attraction for potential users of the accommodation, who would wish to enjoy the intrinsic value of the countryside for its own sake, enjoying walks in the local area, etc.

The location is likely to lead to the need to rely on the private car to some extent but the nature of the use is not likely to amount to the level of traffic associated with the normal comings and goings of a permanent dwellings on a day to day basis – deliveries, family visits, school runs, work journeys, etc.

Highway Safety

The Highway Authority is satisfied that the proposal will not lead to highway safety problems.

Access to the holiday let would be from the private drive off Red Lees Road into the curtilage of the property. There is adequate space for parking and turning of two cars within the curtilage and it is proposed to form a gravel parking and turning area to accommodate this.

The other two properties taking access from this part of the access drive have sufficient space within their own curtilage to allow visiting vehicles to turn if necessary.



Existing residents have expressed concern that larger vehicles will not be able to access their properties if the application land is enclosed, as vehicles will no longer be able to use the land to turn. However, the application site is private land and other

parties would not have the right to use it as a turning area. The applicant could erect a fence along the boundary to prevent its use, without planning permission in any case.

Notwithstanding this, the applicant has agreed to reconsider the position of the front boundary wall, to enable the wider part of the access drive to remain outside the holiday let site to be used for turning. A condition requiring a scheme for this before the wall is built is suggested.

The proposal is in line with the Local Plan and is acceptable in principle. It would not have an adverse impact on the setting of the adjacent Listed Building or the surrounding rural landscape. It is sympathetically designed and would not have an impact on highway safety.

Recommendation:

That planning permission be granted subject to the following conditions:

1. The development must be begun within three years of the date of this decision.
2. The premises shall be used as holiday accommodation only and shall not be used as a person's sole or main place of residence.
3. The owners/operators shall maintain an up-to-date register of the names of all occupiers of the holiday let and their main home addresses, together with their dates of stay, and shall make this information available at all reasonable times to the local planning authority within 21 days of such a request being made in writing to the owner/operator.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no building, engineering, mining or other operations shall be carried out in, on, over or under the land the subject of this application at any time, other than:
 - (a) development in accordance with the application form and details shown on the approved plans, or on any subsequently approved amended plans; and
 - (b) the painting of the exterior woodwork of any building.
5. The development hereby approved shall be constructed using natural stone, matching as closely as possible the stonework of The Hollins adjacent, with a natural grey slate roof, as set out in the application details.
6. Notwithstanding the position of the front boundary wall of the property, indicated in the application, before the wall is erected, a scheme for the position of the wall shall be submitted to and approved in writing by the local planning authority. No wall shall be constructed other than that in accordance with the approved scheme.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Town and Compulsory Purchase Act 2004
2. The use as a permanent dwelling would be contrary to policy GP2 of the Burnley Local Plan, Second Review.
3. To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation having regard to Policy GP1, GP2 and H2 of the Burnley Local Plan Second Review.
4. To enable the local planning authority to consider future development having regard to all relevant material considerations, having regard to the location of the building in a rural area and having regard to Policy GP2 of the Burnley Local Plan Second Review.
5. To ensure that the materials are in keeping with the character and appearance of the adjacent Listed Building, having regard to Policy E10 of the Burnley Local Plan Second Review.
6. To enable the position of the front boundary wall to be determined having regard to the existing use of the private access drive for vehicular turning movements, having regard to Policy GP3 of the Burnley Local Plan Second Review.