

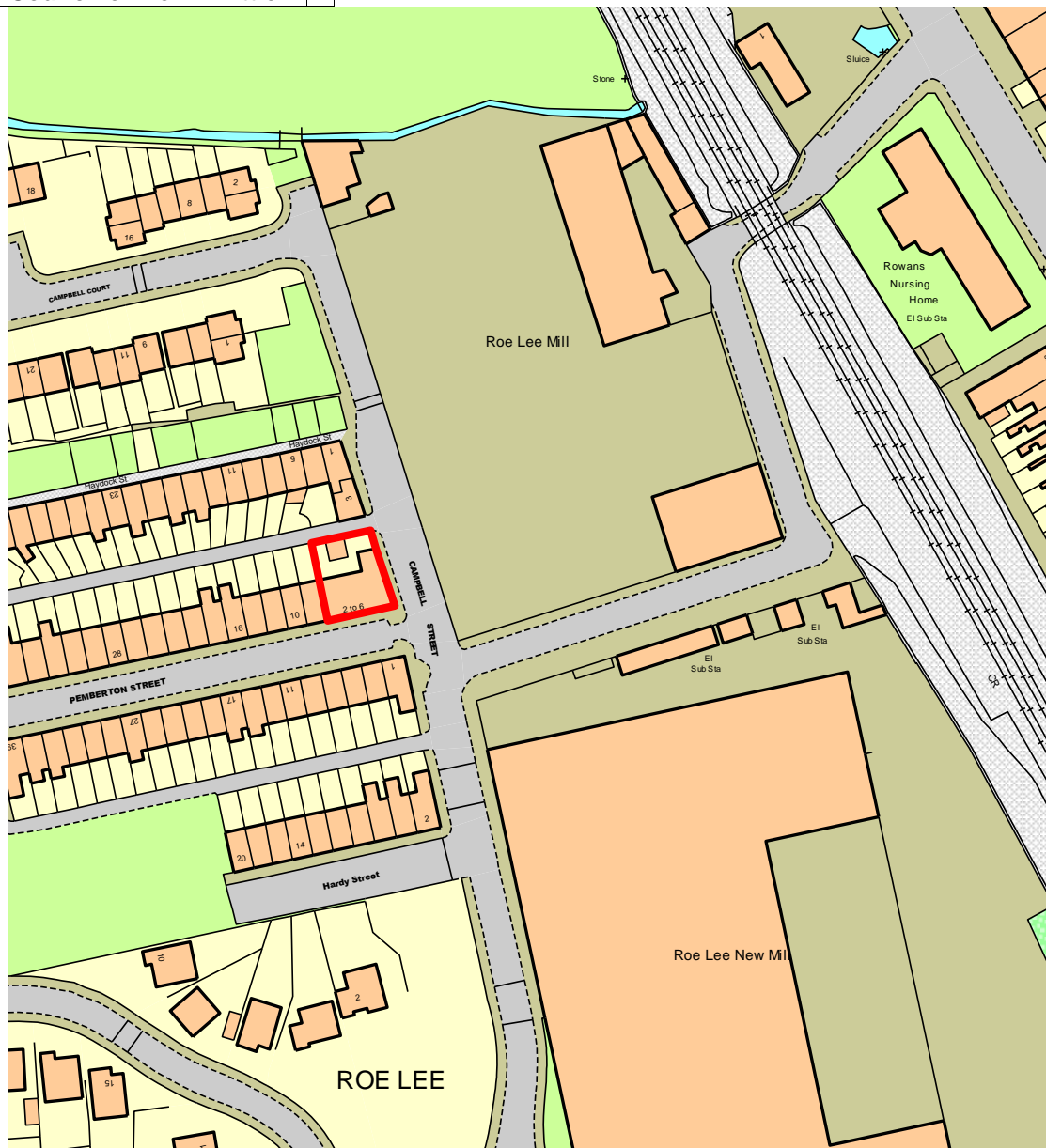
Proposed development: Full Planning Application for Change of use from single dwelling (nos 2-6) to two dwelling (nos 2/4 & 6).

Site address: 2 - 6 Pemberton Street, Blackburn, BB1 9AB

Applicant: Mr Kasim Ali

Ward: Roe Lee

Councillor Phil Riley	
Councillor Sylvia Liddle	
Councillor Ron Whittle	



1.0 SUMMARY OF RECOMMENDATION

1.1 Approve subject to the conditions below:

- Permitted Development rights removal for extensions and alterations.
- Permitted Development rights removal for conversion to a HMO.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The key issues to be addressed are as follows:

- Location of the development.
- Impact upon residential amenity.
- Parking provision and impact of the development on the highway.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site relates to a former public house which has been converted to a single private dwelling (approved under application reference: 10/13/0414). The property is situated on the corner of Pemberton Street and Campbell Street in Roe Lee. The converted dwelling is a two storey building with a double frontage, constructed from red brick which has been painted cream to the front and side elevations.

3.2 Proposed Development

3.2.1 The proposal is for a change of use from single dwelling (nos. 2-6) to two dwelling (nos. 2/4 and 6).

3.3 Development Plan

3.3.1 Blackburn with Darwen Borough Core Strategy:
Policy CS8: "Affordable Housing"
Policy CS9: "Existing Housing Stock"

3.3.2 Blackburn with Darwen Borough Local Plan Part 2:
Policy 8: "Development and People"
Policy 10: "Accessibility and Transport"
Policy 18: "Housing Mix"

3.3.3 Blackburn with Darwen Residential Design Guide (Revised September 2012)

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (NPPF) Section 6: “Delivering a wide choice of high quality homes”.

3.5 Assessment

3.5.1 Principle: The existing property is a large family dwelling located within a residential area. The proposed sub-division of the property is associated with an existing and predominantly residential area. The proposal would further accord with the Councils Space Standards. As such the principle of conversion to two dwellings is considered to be acceptable.

3.5.2 Residential Amenity: Whilst no minimum requirements are identified within the local plan policies, Local Plan Part 2 Policy 8 advises that a satisfactory level of amenity space for occupants of the development itself would be retained.

3.5.3 The existing 7/8 bedroom dwelling is served by a large yard area to the rear of the dwelling measuring 75.3 sq m. The proposal seeks to sub-divide the existing yard to serve both the proposed dwellings. The resulting yard areas would be 30.8sq m (to serve No.6) and 45.24sq m (No.s 2-4). As such it is considered the proposal would retain sufficient space for the general use of outdoor space.

3.5.4 The resulting relationship is viewed as being no more harmful to residential amenity than having the whole yard serving a 7/8 bedroom dwelling. Members are advised that the proposal meets the requirements of Policy H4 and the SPD.

3.5.6 Notwithstanding the above, given the limited size of residential amenity areas, Members are encouraged to impose a condition restricting permitted development rights should they be minded to support the proposal.

3.5.4 Highways: Local Plan Part 2 Policy 10 requires that the road safety and efficient and convenient movement of all highway users is not prejudiced by development. The conversion is contained within the existing residential unit. There is no expectation for off-street car parking to be provided with the proposal. On this basis, highways offer no objection.

4.0 RECOMMENDATION

4.1 **APPROVE** subject to the conditions set out at 1.1 above.

5.0 PLANNING HISTORY

5.1 Planning history pertinent to this planning application are:

5.2 10/13/0414 - Change of use of former Public House Class (A4) with ancillary residential to a single residential dwelling Class (C3).

Approved by the planning and highways committee on 23rd September 2016.

- 5.3 2015/ENQ/06631(Enforcement) – Possible use of HMO. The property was visited by the Enforcement Officer on 3rd May 2016. There was no indication of the building being used as a HMO.

6.0 CONSULTATIONS

- 6.1 7 neighbouring properties were consulted on the application. Concerns have been raised by local residents that the property is being used as HMO (Housing of Multiple Occupation). One formal letter of objection has been received by a ward councillor also raising concerns to the property being used for multiple occupations. A site visit to inspect the property internally was undertaken by the Enforcement Officer on Tuesday 3rd May 2016. The visit confirmed there was no indication of a HMO use; rather the property appeared to be used as family housing.

- 6.2 The proposal complies with the Councils Space Standards relating to new properties, further providing adequate amenity space. A condition would be imposed to remove permitted development allowance of conversion to a C4 use (Houses in Multiple Occupation).

- 6.2 Highways Officer: The changes are contained within the properties – No Objection.

- 6.3 Strategic Housing Development: Providing the proposal complies with the minimum space standard, no objection is raised to the conversion.

7.0 CONTACT OFFICER: Nazia Ali Rizvi ,Assistant Planner

8.0 DATE PREPARED: 26th May 2016

Summary of Representations

From: Riley Phil (Cllr)

Sent: 03 May 2016 17:39

To: Planning

Subject: Application 10/15/1425

I want to object to this application. Planning permission was only given on the explicit understanding that this was a family house and remained so. The applicant accepted these conditions (although, at the time, everyone knew that he wanted to split the building into a number of occupancies). This application is a straightforward attempt to work round the planning process and is a clear breach of the planning conditions. The local residents expect the Council to uphold decisions that were made when the applicant gained planning permission as would I.
