

## **Hyndburn Borough Council – Committee Report**

<b>Application Ref:</b>	11/19/0433
<b>Application Address:</b>	10 Mill Gardens, Great Harwood, BB6 7FN
<b>Householder Application:</b>	Conversion of integral garage to provide living accommodation – bedroom en-suite wet room and kitchen
<b>Date Registered:</b>	19 <sup>th</sup> December 2019
<b>Date for Decision:</b>	10 <sup>th</sup> February 2020
<b>Date Report Written:</b>	13 <sup>th</sup> January 2020
<b>Scheme of Delegation:</b>	The application is being presented to Planning Committee because the works are being undertaken for an elected member (Councillor).

### **HUMAN RIGHTS**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

#### **Article 8**

The right to respect for private and family life, home and correspondence.

#### **Article 1 of Protocol 1**

The right of peaceful enjoyment of possessions and protection of property.

### **Site and Proposal**

The application site consists of a modern 3 storey dwelling located on Mill Gardens within the urban boundary of Great Harwood. The dwelling has an integral garage on the ground floor, as is typical for the row. A driveway leads up to the property.

Planning permission is sought for the conversion of the integral garage to provide living accommodation for a resident with special care needs. It would include an en-suite bedroom and a kitchen. External changes would consist of the replacement of the garage door with a window.

### **Consultations**

Public consultation: Letters sent to surrounding properties, no comments received.

LCC Highways: Loss of parking would cause concern

Environmental Health: No object but include caveat regarding contaminated land

### **Relevant Planning History**

11/11/0390: Major Full: Erection of 12 no dwellings (Resubmission of 11/11/0237) – Approved w/conditions 12/10/2011.

### **Relevant Policies**

National Planning Policy Framework  
Development Management DPD DM10, DM29  
Hyndburn Core Strategy Policies Env6, Env7  
Householder Design Guide SPD  
Hyndburn Borough Council Car Parking and Access Standards

### **Observations**

The key issues for consideration in this application are the design and external appearance of the physical alterations and impact on the highway network.

Policy Env6 of the Hyndburn Core Strategy seeks to ensure that the character and quality of Hyndburn's urban and rural environments will be conserved and enhanced through high quality design.

All external finishes to be used will match the existing property and as such, the physical alterations do not raise any concerns from a design perspective.

Policy Env7 of the Hyndburn Core Strategy states that Proposals for new development will be permitted only if it is demonstrated that the material impacts arising by reason of traffic, visual impact, noise, dust, emissions, pollution, odour, over-looking or loss of light, or other nuisances will not give rise to unacceptable adverse impacts or loss of local amenity and can be properly controlled in accordance with best practice and recognised standards. Policy DM29 of the Development Management DPD has similar aims.

LCC Highways have been consulted on the application and offer the following comments:

*I have viewed the plans and the highway related documents. I have the following comments to make:*

*Mill Gardens (X3311) is a privately maintained, urban, cul-de-sac.*

*The proposal will lead to the loss of a parking space.*

*There has been no mention of number of bedrooms in this property.*

*The parking and access standards adopted by Hyndburn Borough Council states that four bedroom residential development should provide 3 parking spaces.*

*Parking in the turning head is not acceptable parking and would be a highway safety concern.*

*A parking plan should be provided showing the proposed parking spaces required for this size of property.*

The applicant has confirmed that the proposal would result in the property having 4 bedrooms, therefore there is a requirement for 3 parking spaces. The applicant also made me aware that there would only be one driver residing at the property. The Council must however form decisions based on the needs of future occupiers too.

Although it is true that the proposal would result in the loss of a parking space, there would still be a space for parking on the driveway, the street and also an off street parking area for the residents of Mill Gardens provided adjacent to the junction with Arthur Street. Officers are therefore satisfied that adequate parking can be provided.

### **Conclusion**

The application has been assessed against the relevant policies contained within the Hyndburn Core Strategy and the Development Management DPD. The proposal is needed for a resident with special care needs and this has been significant weight. Officers are satisfied that the proposal would not result in any detrimental design or amenity issues and are satisfied that sufficient parking can be provided. The application is therefore recommended for approval.

### **Recommendation**

Approve with conditions

### **Conditions**

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following documents:
  - (a) The planning application forms, location plan and additional information received by Hyndburn Borough Council on 16<sup>th</sup> December 2019

- (b) Submitted drawings received by Hyndburn Borough Council on 16<sup>th</sup> December 2019

Reason: for the avoidance of doubt and to enable Hyndburn Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policies Env6 & Env7 of the Hyndburn Core Strategy.

### **Informatives**

The site has been previously occupied by industrial premises, therefore, should operatives discover any adverse ground conditions during earth works and suspect it to be contaminated, then they must report this to Environmental Health on 01254 380623  
13a, 14, 15, 16, 17, 18