

UPDATE REPORT OF 1 NOVEMBER 2019
FURTHER UPDATE REPORT OF 5 NOVEMBER 2019 (IN RED)

FOR DEVELOPMENT CONTROL COMMITTEE MEETING OF 5 NOVEMBER 2019

Item B2 2019/0341 - Albert Mill, Market Street, Whitworth

Planning Contributions – Education

As originally submitted, the proposed development necessitated a financial contribution of £337,717.44 for 12 x primary and 6 x secondary school places. On the 25th October 2019 Members will note that the applicant amended the development to restrict the occupation of the 48no. 2-bedroom apartments for occupation by over 55s only. This change was discussed initially with Lancashire County Council Schools Planning Team (LCC) to understand if this would affect the financial contribution sought by LCC for school places. LCC confirmed that it would lead to a reduction in the contribution, and provided an indicative figure of £241,195.50 (made up of 9 primary school places and 4 secondary school places) based on the assumption that the population forecasts remained as they were at the time of the original assessment. Members will note that this figure was used in the committee report.

However, since publication of the committee report, LCC has undertaken a full re-assessment of the proposed development based upon the amended apartment scheme and has confirmed that the financial contribution has fallen to £96,740.64 to fund 4 x secondary places i.e. there is no longer a need for the 9 primary school places. This is due to a combination in the reduced pupil yield from the development and also the forecasts have been updated in the time between the original assessment and the latest position, resulting in greater forecasted spare capacity in the 4 primary schools within the 2 mile radius.

As such the recommendation is amended to reflect the reduced education contribution of £96,740.64.

Over 55s Restriction

Members have queried whether the occupation of the apartments to over 55s would apply to all occupants. Advice from the Council's Strategic Housing Manager is that it normally the case that an over 55 occupant can reside with a partner who is under 55.

Car parking

Members were briefed by Officers on this application on 1 November 2019. During the briefing Members expressed concerns regarding the shortfall of parking spaces

(compared to the parking standards which are set out in the Rossendale Core Strategy Appendix 1 - the development results in a shortfall of 56 spaces.

Members queried whether restricting the occupancy of the apartments to over 55s would change / reduce the car parking standard. Officers can clarify that such a restriction does not change the parking standard i.e. a 2 bedroom apartment necessitates 2 car parking spaces. However, Lancashire County Council's Highway Engineer has informally commented that *"...the expectation is that with the family unit shrinking and employment levels reducing there would be a reduction in the need for a second vehicle. Generally the age of the residents is taken as having an effect on peak hour traffic generation levels i.e. the need to travel to work is reduced."*

The applicants have been informed of the concerns raised by Members regarding the shortfall in parking spaces and have responded today (4/11/19) with amended plans to show an additional 17 car parking spaces within the application site. The amended plans are attached to this report. The spaces have been achieved by losing some landscaping, easing of the inward flow of the river as it enters the site and plots 74 – 85 have been reconfigured. As the amended plans were received only this afternoon, Officers have not had an opportunity to review them in detail, nor seek the views of Lancashire County Council Highways or the Environment Agency. As such Members will be updated in a Further Update Report tomorrow.

The case officer has now received comments from the Environment Agency, Lancashire County Council Highways and the Tree Officer towards the amended plans submitted yesterday (4/11/19). No objection is raised by LCC Highways. However, objections have been raised by the Tree Officer and the Environment Agency.

Tree Officer

"At the cul de sac end as originally proposed there was to be planting with views down to the river. It appears to me that the first bend in the river as it enters the site is now to be straightened to allow more car park space around the road turning head from three spaces/driveways up to ten. The garden for plot 85 is extended to the side and surrounded by fence. This will completely remove the river view internally.

The proposed parking spaces extend in a line right to the edge of the site and have no opportunity at all for screen planting around them. All this has resulted in a loss of planting opportunity and will consequently reduce the amenity value of the view into the site from the footpath at the end of Massey Croft to the west of the site. The street scene internally to the site will also appear harder with only cars parked.

There are three spaces allocated to plot 85 and they are aligned nose to tail which is not practical with the space at the end encroaching into the riparian 8 metre exclusion landscape strip. This is not visually acceptable. I do not know if there was a requirement to provide a certain increased number of spaces, but if the end three were removed to allow for a planting area and the one nearest the river was also removed to allow the riparian strip continuity, I would be more inclined to find it acceptable."

Environment Agency

“We object to the layout proposed in dwg. no. KGGSO1 Rev B and dwg. no. WH1309 LM01 Rev B as it would not be acceptable to the EA and we could not issue a permit.

The four visitor spaces, the third parking spot for plot 85 and the garden of plot 85 (all highlighted by yellow circles on the plan below) are now much closer to the realigned channel and would prevent the creation of a sloping bank and would likely necessitate some form of retaining structure. This canalisation would be contrary to the objectives of the de-culverting scheme and it would also likely restrict access to the watercourse. As this layout has not been factored into the flood model, the works to reduce the cross-sectional area of the channel may also have negative impacts on flood risk on site.”



Officers have discussed the objections with the applicant’s agent and have agreed that the amended plans will not be carried forward for determination. Therefore the application will be determined against the originally submitted plans referred to in the committee report. As such, the officer’s recommendation for approval remains unchanged.

**Lauren Ashworth
Principal Planning Officer
04/11/2019
Updated 05/11/19**