

<b>Application Number:</b>	2020/0259	<b>Application Type:</b>	Reserved Matters
<b>Proposal:</b>	Reserved Matters application (Appearance, Landscaping and Scale) pursuant to outline approval 2017/0423 for the construction of a detached house and double garage, with associated works.	<b>Location:</b>	Land North of 112 Booth Road Stacksteads Bacup Lancashire
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	14/08/2020
<b>Applicant:</b>	Mr Alderson	<b>Determination Expiry Date:</b>	04/09/2020
<b>Agent:</b>	Mr. Steven Hartley		
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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	✓
<b>Other (please state):</b>	

## 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.

## 1. **RECOMMENDATION**

Approval subject to the conditions set out in this report.

## 2. **SITE**

The application relates to a plot of open land approximately 0.19 hectares in area, located to the north of Booth Road in Stacksteads. The site is covered in grass and low-lying vegetation. The submitted Design and Access Statement indicates that the site has previously been used as farmland and as allotments, but has not been in use for some time.

The site is adjacent to a cluster of garage buildings beyond which is a row of terraced residential properties to the east. To the west of the site there are further residential properties along Booth Road.

The nearby residential properties along Booth Road are predominantly constructed of stone, as are the associated boundary and highway walls.

To the north of the site there are open fields beyond which is a cluster of residential properties at Higher Tunstead.

The site is on land within the countryside designated as Green Belt.

## 3. **PROPOSAL**

Further to the approval of outline application 2017/0423 (for the construction of a detached dwelling and double garage), the applicant now seeks approval of the reserved matters (including appearance, landscaping and scale) in relation to the development. Matters of layout and access were approved and therefore set at outline stage.

### Appearance

It is proposed that the dwelling will be rectangular in form, with window and door openings on all elevations. A canopy would be constructed over the front door of the dwelling (on the north elevation).

The dwelling would be constructed entirely of pitch faced natural coursed stone, and would have a natural blue slate roof. The pointing would use traditional lime mortar.

Doors and windows would be grey UPVC units. The construction of the proposed detached garage would match that of the dwelling.

### Scale

The dwelling would be two storeys in height, with a pitched roof and a chimney stack.

There would be two single-storey elements including a garden room on the west elevation and an extended lounge on the south elevation.

The dwelling would have four bedrooms, two bathrooms, a utility room, a lounge and a separate kitchen / dining room.

## Landscaping

The dwelling would be constructed within its own curtilage (as defined at outline stage), bound on its north and western sides by Hawthorn hedging and associated timber post and rail fencing.

The existing stone wall on the Booth Road frontage would be retained and repaired. Several new Silver Birch trees would be planted within the curtilage of the dwelling (in clusters located at the request of the Council's tree / landscape officer following discussions between the case officer and the applicant's agent).

The proposed access would be paved in porous tarmac.

## **4. PLANNING HISTORY**

2017/0423 - Outline application (including access and layout) for the construction of a single detached dwelling and double garage, with associated access works (Approved at Committee, November 2017).

2020/0256 - Application for discharge of conditions 7 (construction method statement), 8 (site investigation) and 13 (footway and kerb survey) pursuant to outline approval 2017/0423 (Pending).

## **5. POLICY CONTEXT**

### **National**

#### **National Planning Policy Framework**

- Section 2 Achieving Sustainable Development
- Section 5 Delivering a Sufficient Supply of Homes
- Section 8 Promoting Healthy and Safe Communities
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 13 Protecting Green Belt Land
- Section 14 Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

### **Development Plan Policies**

#### **RBC Core Strategy**

- AVP2 Strategy for Bacup, Stacksteads, Britannia and Weir
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale's Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 9 Accessibility

- Policy 16 Preserving and Enhancing Rossendale's Built Environment
- Policy 18 Biodiversity and Landscape Conservation
- Policy 19 Climate Change and Low & Zero Carbon Sources of Energy
- Policy 21 Supporting the Rural Economy and its Communities
- Policy 23 Promoting High Quality Design and Space
- Policy 24 Planning Application Requirements

### **Other**

National Planning Practice Guidance  
National Design Guide  
RBC Alterations and Extensions to Residential Properties SPD  
RBC Emerging Local Plan

## **6. CONSULTATION RESPONSES**

### **Cadent**

No comments received.

### **Ecology**

No objection.

### **Land Contamination**

No comments have been received.

### **LCC Highways**

No objection.

### **United Utilities**

No comments have been received.

### **Tree Officer**

No objection further to amended landscaping plan, which has been received.

## **7. NOTIFICATION RESPONSES**

The application was advertised by sending individual notification letters to the surrounding properties and by posting a site notice next to the site

Three letters of objection have been received, raising the following points in summary:

- Harm to highway and pedestrian safety
- Disruption to residents
- Contrary to planning policy
- Harm to neighbour amenity
- Harm to visual amenity

## 8. **ASSESSMENT**

The matters for consideration in this application are restricted to the proposed scale, appearance and landscaping of the development.

### **Visual Amenity, Countryside Impact and Heritage Impact**

#### Scale

Policy 1 of the Core Strategy seeks to *“enhance and protect the countryside”*.

Policy 18 of the Core Strategy states that the Council “will seek to avoid any harmful impacts of development on all aspects of Rossendale’s natural environment” and that development proposals should *“safeguard and enhance landscape character”*.

Policy 23 of the Core Strategy seeks to ensure that all new developments *“are of the highest standard of design that respects and responds to local context, distinctiveness and character”*.

Policy 24 of the Core Strategy seeks to ensure any new development is *“compatible with its surroundings in terms of style, siting, layout, orientation, visual impact, local context and views, scale, massing, height, density, materials and detailing”*.

Paragraph 127 of the Framework states that planning decisions should ensure that developments *“are sympathetic to local character and history, including the surrounding built environment and landscape setting”*.

Paragraph 170 of the Framework states that planning decisions should *“contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside”*.

The site lies outside of the Urban Boundary within a defined Countryside (and Green Belt) area and it has a distinctly rural open character. The site is prominently located adjacent to Booth Road.

The proposed dwelling would be of similar footprint (although not the same) to that shown on the plans at outline stage, which the Development Control Committee considered when approving the outline application.

The scale of the dwelling (two storeys) and its footprint is not considered excessive having regard to the site and having regard to the character of the properties in the surrounding area.

#### Appearance

The proposed use of natural coursed stone (with lime mortar) and natural blue slate for the construction of the elevations and roof of the dwelling would be appropriate, and sympathetic to the surrounding area which is semi-rural in character.

The application proposes the use of UPVC window and doors in grey colour, however no detailed drawings / designs have been submitted, and officers would want to ensure that the designs, use of heads and cills, recess of the windows etc are appropriate for a dwelling within a sensitive Green Belt. A condition is necessary to ensure that such details are submitted and approved prior their installation.

### Landscaping

The proposed scheme of landscaping is basic, with simple timber post and rail fencing and native hedge planting around the perimeter of the curtilage, and grass planting within. Given the rural character of the area, the proposed scheme is acceptable and would limit the degree of domestication of the site as far as possible in this case.

The Council's tree / landscape officer initially had concerns over the proposed level and type of tree and hedges to be planted as part of the scheme, and requested amendments to include a greater number of Silver Birch trees to be planted (at a variety of locations) and to include only Hawthorn in the proposed hedges (rather than Blackthorn). Further to discussions between the case officer and the applicant's agent, an amended scheme of landscaping has been received incorporating the suggested changes – and the Council's tree / landscape officer now has no objection.

It is considered that the planting and landscaping now proposed would mitigate the impact of the built development as far as possible in this location, and as such is acceptable.

### Neighbour Amenity

Having regard to the proposed scale and landscaping of the development and the siting, fenestration and orientation of the proposed dwelling, it is not considered that the scheme will have any unduly harmful impact on the daylight, outlook or privacy enjoyed by the residents of any nearby properties.

### Highway Safety

The reserved matters being applied for do not have any significant implications in terms of highway safety, and the Local Highway Authority has no objection to the proposals.

## **9. RECOMMENDATION**

Approval.

## **10. SUMMARY REASON FOR APPROVAL**

The proposed scale, appearance and landscaping of the scheme is acceptable and accords with the National Planning Policy Framework and Policies AVP2, 1, 8, 9, 18, 19, 21, 23 and 24 of the Council's Core Strategy DPD.

## **11. CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of two years from the date of this permission.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in strict accordance with the following unless otherwise required by the conditions below:

- Application form
- Landscaping and Boundary Treatment (IA.160629.B – received as amended on 10/08/2020)
- Plans and Elevations (TA-21-04-20-DETAIL)
- Proposed Site Plan (TA-03-08-17)

Reason: For the avoidance of doubt.

3. Notwithstanding what is shown on the approved plans, all stone boundary walls fronting Booth Road shall be retained and repaired where necessary using stone to match the existing wall.

Reason: In the interests of visual amenity.

4. The approved scheme of landscaping and planting shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species.

Reason: In the interest of the appearance of the locality and to enhance biodiversity.

5. Notwithstanding the submitted information, no development shall take place until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Window and door designs and materials, including heads, cills and reveals
- Materials to be used for paths and patio areas
- Materials to be used for the surfacing of driveways and accesses

The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the development is of the highest quality appearance, and is sympathetic to the context of the site within the countryside / Green Belt.

## **INFORMATIVES**

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

[http://www.rossendale.gov.uk/downloads/download/331/core\\_strategy\\_local\\_plan\\_part\\_1\\_ad\\_opted](http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_ad_opted)

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.

2. If, during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales in agreement with the Local Planning Authority.