

TITLE: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AT LAND OFF LANESIDE ROAD, HASLINGDEN

APPLICATION NO: 2006/229

TO/ON: DEVELOPMENT CONTROL COMMITTEE

BY: TEAM MANAGER – DEVELOPMENT CONTROL

STATUS: FOR PUBLICATION

PORTFOLIO HOLDER: CABINET MEMBER FOR REGENERATION

APPLICANT: MR G STAPLES

DETERMINATION EXPIRY DATE: 27 JUNE 2006

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

This application seeks reserved matters approval for the above. This relates to land accessed off Laneside Road, Haslingden and has been used as a garage colony. A site visit revealed that only one garage in a poor condition exists and the site benefits from an abundance of tree cover. The area is within the urban boundary and is overlooked by properties on Laneside Road and backs onto properties on Manchester Road. This is a brownfield site having regard to Government guidance in the form of PPG 3.

Relevant Planning History

1989/727 – Outline – Erection of 8-10 dwellings. Withdrawn 12 February 1990.

2004/651 – Outline – residential development Refused 8 June 2005. The application was determined by appeal which was upheld 7 December 2005 thereby granting outline permission.

Notification Responses

Neighbours were notified by site notice. Four letters of representation have been received which make the following summarised points:

- Access
- Privacy and outlook
- Construction traffic
- Concerns over access for emergency vehicles
- Vehicle movements on Laneside Close
- Pedestrian access to Laneside Close

Consultation Responses

None necessary

Development Plan Policies

Policy DS1 (Urban Boundary)
Policy DC1 (Development Criteria)
Policy DC 4 (Materials)

Adopted Joint Lancashire Structure Plan (2001-2016)

Policy 12 (Housing Provision) states that Rossendale requires about 1,920 dwellings for the period 1991-2006 of which an annual average provision of 220 should be provided between 2001-2006 and 80 between 2001-2016.

Other Material Planning Considerations

PPS1: General Policy and Principles
PPG 3: Housing

Planning Issues

The first issue to consider is land use designation. The site falls within the Urban Boundary, and as a former garage colony, could be considered to be a brownfield site. As such the proposal accords with PPG3 (Housing). It is therefore acceptable in policy terms as it meets the requirements of Annex E of PPG3 and paragraph 22 of the PPG which states that previously developed sites are to be developed before greenfield sites. The outline planning application for this site was determined by appeal on the 7 December 2005 by written representations and was upheld by the Planning Inspectorate, therefore granting consent.

Under the previous planning application, the County Highways Officer made the following observation "A *previous application 1989/727 for the same site for a residential development of 8-10 houses in which it was commented that the vehicular access should be from Laneside Road only as the access onto Manchester Road was substandard and could not be constructed to adoptable standards. It is recommended that access to the development should be via*

Laneside Road only, with a pedestrian route being provided through the site linking Laneside Road with Manchester Road. Additionally, the scale of the development should remain as a low density development due to off site highway constraints (principally the alignment and width of Laneside Road)”

The issues raised can be the subject of a condition which would adequately address the concerns of the residents.

Turning to the letters of representation, a further amended plan in relation to the pedestrian access to the rear of properties on Laneside Close has been submitted which provides access to the rear gardens of properties on Laneside Close. This has been subject of a further seven day consultation. Any issues raised as a result can be included in the late items report.

The design and layout are considered to be acceptable. The properties on Laneside Close have long rear gardens areas and adequate distance between the proposed properties and Laneside Close is achieved by the proposed development. The layout is formed by the construction of three blocks of semi detached properties which front onto a vehicular access. Nine parking spaces have been provided and it is deemed to be an acceptable scheme in terms of design, means of access, layout and amenity impacts .

Summary of reasons for conditions to appear on the decision notice

The proposed development falls within the Urban Boundary of the Rossendale District Local Plan. The design and scale of the proposal respects the immediate locality and due to the topography of the site would have minimal visual intrusion. It is considered arising out the foregoing that the proposal, subject to conditional control, accords with Policy DC1 of the Rossendale District Local Plan.

Recommendation

That planning permission should be granted.

Conditions and Reasons

01 The development permitted shall be begun before the expiration of five years from the date of this permission.

Reason: The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990.

02 Prior to the commencement of development, samples of the materials to be used on the roof and walls shall be submitted to the Local Planning Authority and agreed in writing. Reason: For the avoidance of doubt and to accord with Policy DC1 of the Rossendale District Local Plan.

03 Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. Reason: For the avoidance of doubt and to accord with Policy DC1 of the Rossendale District Local Plan.

Development Plan Policies

DS1 – Urban Boundary

DC1 – Development Criteria

