

Application Number:	2020/0378	Application Type:	Reserved Matters
Proposal:	Application for approval of reserved matters (appearance, landscaping, layout and scale) for 80 dwellings, pursuant to outline approval 2018/0554.	Location:	Land On The South Side Of Commercial Street Loveclough
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	23/11/2020
Applicant(s):	Hollins Homes	Determination Expiry Date:	11/12/2020
Agent:	Matthew Symons		

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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	<input checked="" type="checkbox"/> (Major Application)
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	<input checked="" type="checkbox"/>
Other (please state):	

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

That the reserved matters are approved subject to the conditions set out in this report.

APPLICATION DETAILS

2. SITE

The application site (of approximately 3.2 hectares) lies on the west side of Burnley Road, sloping down from the road. It is bordered on its northern boundary by Commercial Street and the terraced residential properties constructed along it. A row of trees covered by a TPO runs along the north western edge of the site adjacent to Commercial Street.

To the west of the site lies Loveclough Park, a relatively modern residential development – separated from the application site by a public footpath. On the site's south side there is a playing pitch.

A row of terraced dwellings runs along the eastern side of the site adjacent to Burnley Road, and Loveclough Social Club is located slightly further north (accessed off Commercial Street).

The site itself is predominantly open fields bound by stone walling and agricultural fencing, and is considered to be a greenfield site.

The site lies in an area designated as countryside, and is located approximately 80m south of the Loveclough Fold Conservation Area, where there are two Grade II Listed Buildings (Barn South of Loveclough Farm and 11 & 12 CPA Club).

The site is also around 270m north of another Conservation Area (the Goodshawfold Conservation Area) where there are two further Grade II Listed Buildings (the Spewing Duck Well and Barn North East of Goodshawfold Farm).

3. RELEVANT PLANNING HISTORY

2018/0554 - Outline Application: Erection of up to 80 dwellings and associated works with all matters reserved except for access (Approved).

4. PROPOSAL

Following the approval of outline planning permission (ref: 2018/0554) for the development of 80 no. dwellings on the site, the applicant now seeks approval of the reserved matters of appearance, landscaping, layout and scale in relation to that scheme.

Appearance

The proposed dwellings would be constructed of a mix of natural coursed stone and render, all with natural slate roofs (as secured by condition on the outline approval). A materials plan has been submitted showing that plots which would be built exclusively from natural coursed stone, and the plots which would feature render on some elevations.

The dwellings would be of relatively traditional design, with simple fenestration. All dwellings would feature pitched roof designs, some with additional projecting bays, canopies, dormers and fine detailing. Some of the dwellings would feature chimneys.

Layout

The dwellings would be arranged around an internal estate access road (with several cul-de-sacs) which would enter the site at the previously approved access point off Burnley Road (A682).

The dwellings would be in the form of detached, semi-detached and terraced / mews properties. Each dwelling would have an enclosed private garden area, and would feature driveways and parking to the front or side. Some of the dwellings would be provided with garages.

24 (30%) of the proposed dwellings are shown on the plans to be affordable housing units, in line with the requirements of condition 22 on the outline approval. The affordable units are predominantly mews and semi-detached house types, in various locations throughout the site.

Scale

Condition 6 on the outline approval required the new dwellings to be predominantly no greater than two storeys in height.

Of the 80 dwellings proposed, 17 would have 2.5 storeys, 2 would be single storey bungalows and the remaining 61 would have 2 storeys.

Landscaping

A detailed scheme of hard and soft landscaping has been submitted.

In terms of hard landscaping the following are proposed:

- Tarmac / bituminous surface to main access roads and main footways
- Tar and chip finish to secondary roads and secondary footways
- Granite setts to threshold areas
- Driveways surfaced with Tobermore Hydropave Tegula permeable paving (colours predominantly Cedar and Bracken, with some contrasting colours on parking bays 17-22)
- Natural stone flag paving to dwelling paths, patios and entrances

The majority of existing trees within and bordering the site are to be retained, with a small number to be removed.

In terms of soft landscaping and planting the following are proposed:

- Planting of a large number of larger native trees across the site as part of the development (including lime, sycamore, birch, beech, etc.)
- Planting of native hedging across areas of the site (hawthorn, etc.)
- Planting of smaller flowering trees in areas of the site (flowering cherry, etc.), fronting the majority of the houses
- Creation of informal areas of open space, featuring tree and shrub planting and wildflower meadows
- Grass / turfed front and rear gardens

In terms of boundary treatments, the following are proposed:

- Stone walling around some perimeter and more visible parts of the site.
- 0.45m high timber knee-rail fencing separating plots from the street and public areas.
- 1.8m plot division and screen fencing between house / garden plots

5. POLICY CONTEXT

National

National Planning Policy Framework

- Section 2 Achieving Sustainable Development
- Section 4 Decision Making
- Section 5 Delivering a Sufficient Supply of Homes
- Section 6 Building a Strong, Competitive Economy
- 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 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

Development Plan Policies

Rossendale Core Strategy DPD

- AVP 4 Rawtenstall, Crawshawbooth, Goodshaw and Loveclough
- Policy 1 General Development Locations and Principles
- Policy 2 Meeting Rossendale's Housing Requirement
- Policy 3 Distribution of Additional Housing
- Policy 4 Affordable and Supported Housing
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 10 Provision for Employment
- Policy 16 Preserving and Enhancing the Built Environment
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity and Landscape Conservation
- Policy 19 Climate Change and Low and Zero Carbon Sources of Energy
- Policy 22 Planning Contributions
- Policy 23 Promoting High Quality Design & Spaces

Other Material Planning Considerations

National Planning Practice Guidance

Alterations and Extensions to Residential Properties SPD

Open Space and Play Equipment Contributions SPD

National Design Guide

RBC emerging Local Plan

6. CONSULTATION RESPONSES

Consultee	Response
RBC Economic Development	No comments received on Reserved Matters
LCC Public Rights of Way	No comments received on Reserved Matters
RBC Forward Planning	No comments received on Reserved Matters
RBC Operations	No comments received on Reserved Matters
LCC Lead Local Flood Authority	No comments received on Reserved Matters
Environment Agency	No comments received on Reserved Matters
Cadent	No comments received on Reserved Matters
Police	No comments received on Reserved Matters
Fire Brigade	Advice provided
Limey Valley Residents Association	Requested amendments to facing materials
LCC Highways	No objection
LCC Planning Contributions / Education	No objection
RBC Environmental Health	No comments received on Reserved Matters
RBC Strategic Housing	Advice provided on affordable housing
RBC Tree Officer	No objection
United Utilities	No objection subject to conditions
Ecology	No objection subject to conditions
Land Contamination Consultant	No objection

Consultee	Response
Coal Authority	No objection

7. REPRESENTATIONS

To accord with the General Development Procedure Order site notices were posted and 111 neighbour letters were sent out. A notice was also published in the Rossendale Free Press.

Eight objections have been received, raising the following points in summary:

- Overdevelopment
- Harm to visual amenity / countryside
- Harm to neighbour amenity
- Access / highway safety issues
- Harm to wildlife / biodiversity
- Flood risk issues / drainage issues
- Pressure on local services / infrastructure
- Boundary issues
- Far too many new houses being built in the Borough
- Disturbance
- Pollution

8. ASSESSMENT

Principle

The acceptability of the proposed development of up to 80 no. dwellings on the site has already been established by outline planning approval 2018/0554.

Visual Amenity / Heritage Impact / Countryside Impact

Policy 1 of the Core Strategy seeks to ensure that new developments complement and enhance the surrounding area through the use of inclusive design and locally distinctive materials. Policy 23 of the Core Strategy requires that new developments respect and respond to local context, distinctiveness and character.

Paragraph 127 of the Framework states that planning decisions should ensure that developments:

“a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

As initially submitted, officers considered that the proposed scheme utilised considerably too much render on the elevations of the dwellings, and that substantially more natural stone should be incorporated in accordance with the condition attached to the outline consent. Following discussions between the case officer and the applicant, revised plans have been received which incorporate substantially more natural stone on to the elevations of dwellings throughout the site. As now proposed, the majority of the dwellings would have natural stone elevations exclusively, with a smaller number of dwellings incorporating elements of render. It is considered that this is acceptable in terms of the scheme’s appearance, and that it now accords with the requirements of the conditions on the original outline approval.

The proposed plans (as amended) show that the dwellings will be of a high standard of design, and that measures such as the use of natural materials (particularly along the more prominent areas within the site) and sensitive boundary treatments have been incorporated into the scheme to secure a high quality appearance to the scheme.

The proposed facing materials (as amended) are considered acceptable and the scale and massing of the proposed units would not be excessive in the context of the site.

The Council’s Tree Officer has no objection to the proposed scheme, and considers that the proposed scheme of landscaping is appropriate.

It is considered that the scheme will not cause undue harm to the setting of the nearby Listed Buildings or Conservation Area, and the retention of existing trees T27-T34 at the north western corner of the site will assist in this regard, providing an important visual buffer for the development.

The scheme is considered acceptable in terms of visual amenity / heritage impact / countryside impact.

Neighbour / Residential Amenity

Objectors’ comments are noted, and given the levels difference between the proposed dwellings on plots 61-65 and the existing dwellings (and their gardens) at 6-16 Loveclough Park, there was initially concern by officers that the originally proposed layout and boundary treatments would result in a potentially overbearing and overlooking impact to existing dwellings on Loveclough Park (nos. 6-16).

Following discussions between officers and the applicant however, amended plans have been received which show the retention of the existing trees on the boundary in question, the planting of new native trees along the boundary (to fill any gaps in existing tree cover) and the re-

configuration of house types along that boundary to maximise separation distances between single storey elements of the existing and proposed dwellings.

The amended plans show that there would now be only very limited sight lines between the conservatories / single storey extensions to the rear of properties on Loveclough Park and the rear elevations of the proposed dwellings above. It is considered that the layout and house types now proposed, combined with the retention of existing trees and planting of new trees along the boundary in question will prevent any unacceptable overlooking or overbearing impacts of the development on the existing dwellings. It is considered necessary to include a condition requiring the implementation of the new tree planting (of semi-mature specimens) prior to occupation of the plots in question, and the retention of the trees thereafter. It is also likely that the Council will consider serving a Tree Preservation Order on the trees in question in due course, once the new trees are planted along the boundary.

Given the siting, orientation and massing of the proposed dwellings elsewhere on the site, it is not considered that the scheme will result in an unacceptable loss of privacy, daylight or outlook for the occupiers of any other nearby residential properties.

A condition limiting the hours of work on site has already been included on the outline approval.

The required amount of affordable housing units (relating to condition 22 on the outline approval) has been provided as part of the proposed development. The units are to be tenure-blind to promote community cohesion. Full details of the tenure, maintenance, phasing and eligibility criteria in relation to the affordable units has already been secured by condition 22 on the outline approval, and must be submitted for approval prior to the commencement of development.

The scheme is considered acceptable in terms of neighbour amenity.

Access, Parking and Highway Safety

The Local Highway Authority has raised no objection to the scheme as now proposed.

The outline approval already includes conditions requested by the Local Highway Authority which would continue to apply to the current scheme if approved.

Having regard to the above, the scheme is considered acceptable in terms of access, parking and highway safety.

Land Contamination

The Council's land contamination consultant is satisfied that the submitted information demonstrates that no remedial measures are necessary on site, and that Condition 16 pursuant to the outline approval (2018/0554) can be discharged.

Ecology

The Council's ecology consultant has no objection to the submitted scheme, subject to conditions intended to prevent harm to any biodiversity assets on site, and to increase the development's biodiversity potential.

The Council's ecologist has requested conditions requiring the following:

- Protection of Tree 1 as identified in the submitted ecological report, unless a bat survey has been carried out.
- No works to trees during bird nesting season
- Submission of a method statement for the protection of watercourses on site
- Submission and implementation of a biodiversity enhancement plan for the development

Subject to the above conditions, the officers are satisfied that the scheme is compliant with para 170 of the Framework.

Landscaping

The Council's Tree Officer has no objection to the submitted plans, and it is considered that the proposed scheme of landscaping will provide a suitable balance of open space, informal amenity areas and planting throughout the development. The proposed scheme will avoid a dominance of built development when viewed from within the site, and incorporates suitable swathes of open space alongside the watercourse through the site.

It is considered appropriate to include a condition requiring the submission of a biodiversity enhancement plan (as mentioned in the section of the report above) which would also require further details of planting throughout the site, and the management / maintenance of the planting and open spaces.

Subject to the above, the scheme is considered acceptable in terms of landscaping.

9. SUMMARY REASON FOR APPROVAL

The proposed scheme is acceptable in terms of visual amenity, heritage impact, neighbour / residential amenity, ecology and highway safety. Accordingly, the scheme is considered to accord with the National Planning Policy Framework and Policies AVP4, 1, 8, 9, 16, 17, 18, 19, 23 and 24 of the Council's Core Strategy DPD.

10. 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
- Site Layout (01 P10)
- Site Sections (19111_11_P6)
- Materials Layout (05 Rev. P5)

- Drainage Feasibility DRG1 (19151/01/1 C)
- Drainage Feasibility DRG2 (19151/01/2 C)
- Feasibility Levels Proposals DRG1 (19151/02/1 I)
- Feasibility Levels Proposals DRG2 (19151/02/2 I)
- Arboricultural Report and Impact Assessment (AWA3368.B)
- Ecological Letter of Support (ERAP 2018-283C)
- Boundary Treatment Layout (06 P6)
- Boundary Treatment Details (07 A)
- Bungalow – Floor Plans and Elevations (HT_01A)
- 2B4P Mews 3 Block – Floor Plans (HT_02A)
- 2B4P Mews 3 Block – Elevations (HT_03A)
- 2B4P Mews 4 Block – Floor Plans (HT_04A)
- 2B4P Mews 4 Block – Elevations (HT_05A)
- 2B4P and 3B5P Mews – Floor Plans (HT_06A)
- 2B4P and 3B5P Mews – Elevations (HT_07A)
- Elgar – Natural Stone / Render (HT_08A)
- Elgar – Natural Stone (HT_09A)
- Austen – Floor Plans and Elevations (HT_10A)
- Brunel – Floor Plans and Elevations (HT_11A)
- 3B6P Natural Stone / Render (HT_12A)
- 3B6P Natural Stone / Render (HT_13A)
- 3B6P Natural Stone (HT_14A)
- Nelson Natural Stone / Render (HT_15A)
- Nelson Natural Stone (HT_16A)
- Livingstone Floor Plans (HT_17A)
- Livingstone Natural Stone / Render (HT_18A)
- Livingstone Natural Stone – Elevations (HT_19A)
- Shakespeare Natural Stone / Render (HT_20A)
- Shakespeare Natural Stone (HT_21A)
- Dickens Plot 07 – Floor Plans (HT_22A)
- Dickens Natural Stone Plot 07 – Elevations (HT_23A)
- Dickens Natural Stone Plot 76 – Floor Plans and Elevations (HT_24A)
- 4B8P Floor Plans (HT_25A)
- 4B8P Natural Stone / Render (HT_26A)
- Nightingale Floor Plans (HT_27A)
- Nightingale Natural Stone / Render (HT_28A)
- Nightingale Natural Stone (HT_29A)
- Wordsworth Natural Stone (HT_30A)
- Bronte Floor Plans (HT_31A)
- Bronte Natural Stone / Render (HT_32A)
- Bronte Natural Stone (HT_33A)
- Churchill Floor Plans (HT_34A)
- Churchill Natural Stone (HT_35A)
- Cromwell Natural Stone (HT_36A)
- Wellington Floor Plans (HT_37A)
- Wellington Natural Stone (HT_38A)
- Garage Details Render (HT_39A)
- Garage Details Stone (HT_40A)
- Road Adoption Plan (10 P3)
- Hard Landscape Plan 1 of 2 (N0702(90)001B)
- Hard Landscape Plan 2 of 2 (N0702(90)002B)
- Soft Landscape Plan 1 of 2 (N0702(96)001B)
- Soft Landscape Plan 2 of 2 (N0702(96)002B)

Reason: For the avoidance of doubt.

3. None of the dwellings on plots 61-65 shall be occupied until the new trees proposed to be planted on their western boundaries have been planted. The new trees shall be semi-mature specimens, and shall be planted in accordance with the most up to date British Standard methodology. Any of the trees which fail, die, become damaged or diseased within the lifetime of the development shall be replaced by similar semi-mature specimens of the same species in the next available planting season.

Reason: In the interests of visual and neighbour amenity.

4. The existing trees on the western boundaries of plots 62-65 shall be retained for the lifetime of the development and shall not at any time be felled or removed. If the trees at any time become damaged, diseased or die, they shall be replaced in the next available planting season by semi-mature specimens of the same species, planted in accordance with the most up to date relevant British Standard methodology.

Reason: In the interests of visual and neighbour amenity.

5. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Feasibility Plans (Ref No. 19151/01/1 Rev C and Ref No. 19151/01/2 Rev C). For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

6. The removal of Tree 1 (Ash) as shown on Figure 8.2 of the Ecological Survey and Assessment has the potential to cause harm to bats and shall not in any circumstances occur unless further bat information is provided to and agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting bats.

7. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting nesting birds.

8. Prior to any earthworks, site clearance or machinery on site a method statement to protect the ditches/watercourses from accidental spillages, dust and debris shall be supplied to and agreed in writing by the Local Planning Authority. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason: To protect biodiversity and prevent pollution.

9. Prior to any development taking place a biodiversity enhancement plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall include:

- details of the organisation responsible for managing the landscaped areas;
- details of the habitats to be created along the ditches and western boundaries;
- the location and area of the habitats to be created along the ditches and western boundaries;
- the proposed species composition and planting densities;
- the target condition of the habitats to be created along the ditches and western boundaries;
- details of the landscaping along the Commercial St boundary;
- detail of the garden planting schedule;
- management regimes for all habitats created outside domestic gardens;
- details of bird box provision within the housing development;
- timetable for implementation
- 5 year monitoring and maintenance schedule

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

Reason: In the interests of protecting and enhancing biodiversity.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (Schedule 2, Part 1, Class F) or any subsequent re-enactment thereof no hard surfacing shall be constructed over the front gardens, and no stone boundary walls within front gardens shall be removed, as shown on the approved plans.

Reason: To protect the visual amenities of the development.

11. The garages hereby approved shall be kept freely available for the parking of cars and shall not be converted or altered to form an additional room within the dwelling without the submission and grant of a planning permission for that purpose by the Local Planning Authority.

Reason: To ensure adequate off street parking is maintained.

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_adopted

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. Whilst there is only a low risk of great crested newts being present, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill great crested newts. If a great crested newt is found during the development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.