

TITLE: ERECTION OF 1NO. DWELLING AT LAND AT PLANTATION HOUSE OFF DOBBIN LANE, CLOUGHFOLD, RAWTENSTALL.

APPLICATION NO: 2006/321

TO/ON: DEVELOPMENT CONTROL COMMITTEE

BY: TEAM MANAGER DEVELOPMENT CONTROL

STATUS: FOR PUBLICATION

PORTFOLIO HOLDER: CABINET MEMBER FOR REGENERATION

APPLICANT: MR R SHADLOCK

DETERMINATION EXPIRY DATE: 7TH AUGUST 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

The area of land to which the application relates stands to the rear of Plantation House off Dobbin Lane in Cloughfold. It is proposed that the access to the site would be via a shared driveway with this property. The dwelling which is proposed is split level with facility for car parking to the South East side below the main living floors. At its closest point the development would stand 6.5 metres from Plantation House itself and over 20 metres from the closest property on Dobbin Lane. The site is bounded to the North East by a row of mature evergreen trees and a steep embankment. The applicant has also demonstrated on the site plan the intention to create two off street car parking spaces to serve Plantation House. The proposal site is within a Conservation Area.

Relevant Planning History

None

Notification Responses

- Site Notices were posted to which there were no responses

Consultation Responses

RBC Forward Planning

No response to date

LCC Highways

No response to date

Development Plan Policies

Rossendale District Local Plan

Policy DS.1 (Urban Boundary)

Policy DC.1 (Development Criteria)

Policy DC.4 (Materials)

Policy HP.1 (Conservation Areas)

Joint Lancashire Structure Plan

Policy 1 (General Policy)

Policy 12 (Housing Provision)

Other Material Planning Considerations

PPS 1 (Sustainable Development)

PPG 3 (Housing)

Joint Lancashire Structure Plan Adopted Car Parking Standards 2005

Draft Regional Spatial Strategy for the North West of England (January 2006)

Planning Issues

The location for the proposed development is within a Conservation Area and therefore the proposal should be assessed according to Policy HP.1 of the Rossendale District Local Plan. Policy HP.1 states that proposals for development should be assessed with regard to the roof and townscape, views within and outside of the Conservation Area, Trees and compliance with Policy DC.4 of The Rossendale District Local Plan. Whilst the importance of the Conservation Area is acknowledged it is considered that the design and the siting of the proposed dwelling would not have a significant effect upon the character of the area and would not look out of place thereby being in accordance with Policy DC.4 and subsequently Policy HP.1.

The Draft Regional Spatial Strategy for The North West requires that 80% of new homes be built on brownfield sites, in comparison the adopted Joint Lancashire Structure Plan requires that 58% of new houses be built on brownfield sites. Planning Policy Guidance Note 3 favours development to take place on previously developed sites which benefit from being accessible from public transport. In this respect the proposal would be in accordance with the criteria of Policy 12 of the Joint Lancashire Structure Plan, the Draft Regional Spatial Strategy and national planning guidance in the form of PPG 3. The site is also accessible by foot and bus from the key service centre of Rawtenstall and would therefore contribute to sustainability in accordance with Policy 1 of The Joint Lancashire Structure Plan and national Planning Policy Statement 1.

The overall design and choice of building materials are considered to be in keeping with existing conditions in the area and would not look out of place within the locality and therefore are considered to be in accordance with Policy DC.4 of The Rossendale District Local Plan and Policy 1 of The Joint Lancashire Structure Plan.

Lancashire County Council Maximum car parking standards states that for a three bedroom dwelling should have a maximum of two car parking spaces. Therefore the development complies with the adopted car parking standards. There would be no issues of privacy or overlooking and it is considered that the applicant has addressed all of the design issues associated with the building of a dwelling on this plot.

The major issue which relates to the application is that of housing oversupply.

The level of housing supply is calculated by deducting the total number of completions (992 identified in Housing Land Position Report) from the number of dwellings identified in the Structure Plan (i.e. of 1920), equating to a remaining provision of 928. The number of dwellings with planning permission equates to 1268. Therefore, the number of dwellings with planning permission, in addition to the number of dwellings lost, equates to an oversupply of 255 dwellings. Therefore, it is considered that there are sufficient residential planning permissions to meet Rossendale Borough Council's housing requirement to 2016 and that the proposed development would be contrary to Policy 12 of the Joint Lancashire Structure Plan (2001-2016).

Judged against the Housing Policy Position Statement (as approved by Executive on 17th August 2005), the proposed development will result in a net gain in the number of dwellings within the borough and moreover is not located within either the Rawtenstall Bacup, Stacksteads and Britannia Housing Market Renewal Initiative Area. Therefore the proposed development is not in accordance with the Housing Policy Position Statement.

Whilst the proposal is considered to be acceptable in all other respects, it is considered that the concerns regarding housing supply outweigh all other considerations in this instance and that no exceptional circumstances or other material planning consideration exists to warrant a grant of permission in this instance.

Recommendation

That the application is refused for the following reason;

Reason

1. It is considered that the development is not currently required to meet the housing requirements of the Borough. The proposal is therefore considered to be contrary to the provisions of Policy 12 of the Joint Lancashire Structure Plan 2001 – 2016 and the Housing Policy Position Statement.

Development Plan Policies

Rossendale District Local Plan

Policy DS.1

Policy DC.1

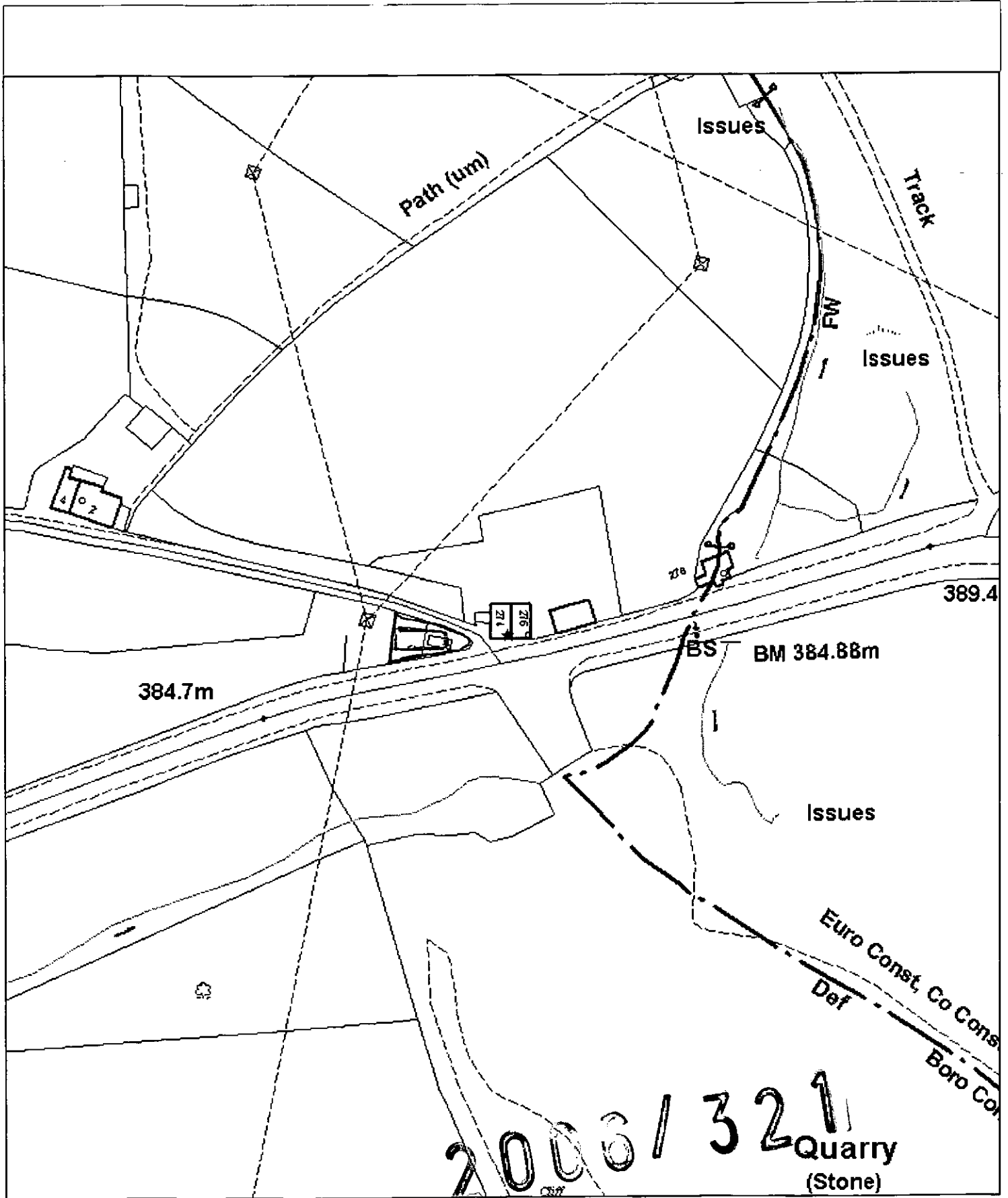
Policy DC.4

Policy HP.1

Joint Lancashire Structure Plan

Policy 1

Policy 12



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Scale 1:1250 Date: 07/06/2006

Map Center: 388731.2,424580.5