



The proposal will require the demolition of the existing commercial building on the site. The 3 town-houses proposed will be of 2-storeys, each with a front dormer. The proposed bungalow will be situated towards the north-east corner of the site. The dwellings are to be constructed with stone and have concrete-tiled roofs. A single, shared-drive will serve the four dwellings, the submitted plan showing 5 car parking spaces around it.

### **The Applicants Case**

The proposed development should be supported for the following reasons:-

- The site is within the Urban boundary
- It is a brown field site in a sustainable location, being close to the public transport network on Burnley Road East as well as other amenities and facilities such as St Anne's school.
- The existing workshop premises, by their age, layout and inadequate on street servicing arrangements, have come to the end of their economic life.
- Redevelopment for housing rather than for commercial purposes is preferable in this largely residential road and will remove commercial vehicles from it and from the access road to the school
- The proposed design reflects the character, massing and materials of the existing housing
- The design takes into account factors connected with privacy and the location of windows in existing properties
- The dwellings and car parking have been designed with the need for crime prevention in mind

## **2. Relevant Planning History**

None.

## **3. Policy Context**

Rossendale District Local Plan (Adopted 1995)

Policy DS1

Policy DC1

Policy DC4

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1

Policy 2

Policy 7

Policy 12

Other Material Planning Considerations

PPS 1

PPG 3

PPG 13

PPG 25

LCC Parking standards

RBC Housing Position Statement

#### **4. CONSULTATIONS**

##### LCC (Highways)

The Highway Authority object to the application as it proposes insufficient off-street parking, which may result in additional cars parking on Ashworth Road, to the detriment of highway safety.

##### RBC Forward Planning

This site is within the Urban Boundary but not within either of the AAP areas. Due to the position of oversupply, and taking into account Policy 12, paragraph 6.3.13 of the JLSP, this application can not be supported from a policy point of view.

##### Environment Agency

The Agency advises that the site is located in Flood Zone 3, which is the high risk zone, as defined for mapping purposes by the Agency's Flood Zones. It objects to the application on the grounds that it is not accompanied by a Flood Risk Assessment (FRA) as required by PPG 25.

It is concerned that the proposed development could be at risk of flooding from Whitewell Brook and could unacceptably increase the risk of flooding elsewhere. It has indicated that in order for it to properly assess the proposals a FRA must be provided that includes a plan with existing and proposed levels related to Ordnance Datum.

Further comments are to be reported at the meeting in respect of this matter.

#### **5. REPRESENTATIONS**

The occupier of 2 Ashworth Road, the house immediately to the east of the application site, has objected to the application for the following reasons :

- The proposed development will be situated directly opposite their dining room/lounge and will further limit light to them.
- The proposed bungalow will be approximately 2.5 metres away from their property, any flue in its roof at a height that its fumes will enter their dining room/lounge.

#### **6. ASSESSMENT**

The main issues to be considered in relation to this application are : 1) principle of the development; 2) housing policy; 3) residential amenity; 4) highway issues; & 5) flood risk.

##### Principle

The application proposes re-development of a site located within the Urban Boundary of Waterfoot, which is reasonably accessible by means of travel other than the private car. It is therefore considered that the proposal accords with Policy DS1 of the Rossendale District Local Plan.

##### Housing Policy

The principal issue which needs to be considered in relation to Housing Policy is that of housing over-supply.

Consistent with housing policy contained in national and regional guidance, Policy 12 of the Joint Lancashire Structure Plan (adopted March 2005) has resulted in a housing allocation requiring a reduced rate of provision for several Lancashire Districts over the period 2001-2016, including Rossendale. Policy 12 states that 1,920 dwellings are required to be built within the Borough between 2001 and 2016 in order to adequately house the Borough's population. It further states that these are to be provided at the rate of 200 dwellings per year until 2006 and 80 per year thereafter. Having regard to the number of dwellings which have been built since 2001, and to the number for which permission exists, LCC (Planning) is of the view that this Council should rigorously enforce a policy of restraint on proposals coming forward that will create additional dwelling units.

The Council's Housing Position Statement (August 2005) accepted the contention that the Council would over-shoot its housing allocation and the permissions now granted should be limited to those it set out :

*"Applications for residential development in Rossendale will be refused, on housing land supply grounds, in all but the following limited circumstances:*

- a) In any location where the proposal is a like for like replacement of an existing residential dwelling resulting in no net gain in dwelling numbers and which conforms to relevant policies of the development plan and other material considerations; or*
- b) The proposal will positively contribute to the urban regeneration of the Bacup, Stacksteads and Britannia Housing Market Renewal Initiative areas or the Rawtenstall Town Centre Masterplan (Area Action Plan); and*
- c) The proposal will not harm the character of the adjoining areas such as conservation areas and the setting of listed buildings; and*
- d) The proposal will assist the regeneration of the site; and*
- e) The proposal meets an identified local housing need."*

At its meeting in June 2006 Cabinet received a Housing Land Monitoring Report, setting out the latest position in relation to provision of housing. The report to Cabinet says of the Monitoring Report : "It shows that the number of dwellings which have a valid planning approval exceed the requirements of the Joint Lancashire Structure Plan (JLSP). Anticipated completions have also been considered and this will significantly exceed the provision of just 80 that the JLSP requires on an annual basis for the period 2006 to 2016. The situation has not changed since the Housing Policy Position Statement, approved in August 2005."

Accordingly, it is appropriate to consider the application in relation to the criteria of the Housing Position Statement. The application site :

- Does result in additional dwelling units.
- Does not lie within the boundaries of either of the identified urban regeneration areas.
- Will not harm the character of any Listed Building or Conservation Area, etc.

- The “regeneration” credentials of the proposal will be dealt with separately below.
- The Applicant has not shown how the proposal meets an identified local housing need, given no indication that any of the intended dwellings will be provided/retained in perpetuity as affordable housing.

Thus, the proposal is contrary to criteria of the Housing Position Statement.

#### Residential Amenity

The proposed development may impact unacceptably upon the amenities of the neighbouring residents. The proposed terraced properties are set back from the road and the distance between the dwellings will be approximately 25 metres. Therefore, it is considered that the front elevation of the proposed dwellings will not have a significant adverse impact upon the amenity of the neighbouring residents.

The rear elevation of the proposed development will not have a significant adverse impact upon the amenity of the residents of the dwellings to the rear. The gable elevation has been left blank and subject to conditional control, will not result in the loss of amenity to the neighbouring residents. Therefore, it is considered that the proposed development is in accordance with the criteria of Policy DC1 of the Rossendale District Local Plan.

The layout of the site has been designed so as to minimise the adverse impact upon the amenity of the neighbouring residents. The proposed bungalow will be barely visible from the road and as such will not have an adverse impact upon amenity, in terms of loss of privacy and the potential to overlook. It is considered that the proposed development will not look out of place within the locality. Therefore, the proposed development is in accordance with the criteria of Policy DC1 and Policy DC4 of the Rossendale District Local Plan.

#### Highways Issues

I concur with the view of the Highway Authority that the proposed parking arrangements are unacceptable. Due to the layout of the site, it is only possible to park four cars on the spaces provided within the site, which may result in on-street parking. It is considered that the proposed development will have an adverse impact upon the existing conditions within the locality and is contrary to the criteria of Policy DC1 of the Rossendale District Local Plan.

#### Flood Risk

The site of the proposed development is located within an area at risk of flooding. The agent has submitted a Flood Risk Assessment in accordance with the advice of the Environment Agency and further comments are to be reported at the meeting. Therefore, at this stage, it is considered appropriate that the application be refused on the grounds of flood risk.

## **7. CONCLUSION**

Having regard to the shortcomings of the scheme in respect of residential amenity, highway safety and (potentially) flood risk, the “regeneration” credentials of the proposal are not such as to warrant granting permission as an exception to Policy 12 of the Structure Plan.

## 8. RECOMMENDATION

That permission should be refused, for the following reasons:

1. The proposed development would contribute towards an inappropriate excess in housing-supply provision, contrary to Policy 12 of the adopted Joint Lancashire Structure Plan and the Rossendale BC Housing Position Statement (August 2005). In this instance the case has not been advanced to warrant an exception to policy being made.
2. In the absence of a Flood Risk Assessment the Environment Agency and the Council are not satisfied that the proposed development will not create an unacceptable flood risk to future occupants or elsewhere. Therefore the proposed development is considered to be contrary to Policy 24 of the Joint Lancashire Structure Plan and government guidance in the form of PPG25.
3. The submitted scheme proposes insufficient parking within the site, which will lead to additional cars parking on Ashworth Road, to the detriment of highway safety and inconvenience of others, contrary to the criteria of Policy DC1 of the Rossendale District Local Plan.

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