

Application No: 2006/417

Application Type: Full

Proposal: Erection of 2-storey buildings to accommodate 20 apartments

Location: Land adj 4 Staghills Road, Rawtenstall

Report of: Development Control Team Manager

Status: For Publication

Report to: Development Control Committee

Date: 10 October 2006

Applicant: Green Vale Homes

Determination Expiry Date: 26 October 2006

Agent: Watson Batty Architects Ltd

REASON FOR REPORTING Tick Box

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:
Reason for Call-In:

More than 3 objections received

Other (please state) MAJOR

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.

APPLICATION DETAILS

1. Background

This application was reported to the meeting of Committee held on 21 September 2006, with a recommendation for approval; a copy of that report follows.

Committee deferred decision on the application in order that Officers could raise with the applicant concerns it had in respect of disabled access, security & lighting, and

facing materials. With respect to the latter matter, Members expressed a preference for the proposed buildings to be constructed with facing materials matching those used for the recently-constructed bungalows on Woodlands Close.

Since Committees decision the Deputy Leader, Cllr Challinor, and your Officers have met with the Architect to address the concerns expressed by way of amendment/clarification, as necessary.

With respect to these matters, I would advise as follows :

Facing Materials

The originally-submitted scheme proposed that the buildings would be constructed with external walls of artificial-stone/render, and with grey concrete-tiled roofs. The Architect has now had the opportunity to view the bungalows on Woodlands Close, which are constructed of buff-brick/white upvc panelling, with dark grey concrete-tiled roofs. In accordance with Committees wishes, amended drawings have now been received substituting buff-brick for artificial-stone in respect of all of the proposed buildings.

Security & Lighting

All schemes for which Housing Corporation funding is being obtained have to be vetted and approved by the Police to ensure they comply with 'Secured by Design' standards. At the meeting with the Architect, not only were the Committee's comments in respect of these matters raised, we also had available to us the comments of the Rossendale Crime Prevention and Architectural Liaison Officer on the scheme.

To comply with 'Secured by Design' standards the Police require that lighting is provided to the road/parking areas to the rear which accords to British Standard BS 5489. To comply with this, amended drawings have now been submitted showing three street-lighting columns will be provided.

There being no significant difference in level between the footway to Staghills Road and the block of four apartments proposed at the northern end of the site, this block has been turned around and will now have its front elevation/front doors facing Staghills Road. The Architect has looked at whether the other blocks of apartments can be similarly turned around, but has concluded that the difference in levels between the footway to Staghills Road and this part of the site precludes this if these apartments are to be provided with off-street parking near to their front doors, a facility which they consider most occupiers will welcome.

To provide greater surveillance of the proposed access road near to its junction with Staghills Road, in accordance with the wishes of the Police, the Architect has added a couple of windows in the gable of the apartment block each side of the access-point. The Police's wishes have also been taken on-board in respect of the form/position of certain fences/areas of landscaping.

Disabled Access

The Architect advises that they have reconsidered the scheme in terms of access for disabled people and have concluded that the way in which the blocks south of the access-point face the access to the rear ought not to be changed. For some people with walking difficulties it is preferable, if not essential, that they have the facility to

both park near to their front door and have little gradient between their car and their front door. To have the entrances of the apartment blocks to the south of the access-point face the proposed car park, and thereby minimise the gradient of the route leading to front doors, is preferable to ramped-accesses from Staghills Road which may be shorter but more steeply-sloping.

The Architect advises that level access is provided to all the ground-floor apartments and all apartments have been designed to accord with both the Building Regulations and the Housing Corporations Scheme Development Standards, the latter requiring generously sized corridors, sensibly located door-openings and larger spaces for wheel-chair manoeuvres.

2. CONCLUSION

I consider the scheme, as amended, should be granted permission. The conditions referred to in the previous report have been amended accordingly.

3. RECOMMENDATION

That permission be granted subject to the following conditions :

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. 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 the criteria of Policy DC1 of the Rossendale District Local Plan.
3. The development hereby permitted shall only be carried out in conformity with the ground and building slab levels which have first been submitted to and approved in writing by the Local Planning Authority.
REASON: To protect the amenities of the local area and to accord with the criteria of Policy DC1 of the Rossendale District Local Plan.
4. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.
REASON: To protect the appearance of the locality and in the interests of The amenities of local residents and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
5. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local

Planning Authority, notwithstanding any such detail which may have previously been submitted. The submitted scheme shall provide details of the protection to be afforded during construction to planting to be retained and of the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. *REASON: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

6. All hard-surfaced areas/walls/fences forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to occupation of the nearest building, unless otherwise agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building. Any trees or plants in the approved scheme of landscaping 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 similar size and species, unless the Local Planning Authority gives written consent to any variation. *Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
7. Notwithstanding the details shown on the submitted drawing, details of the design/visibility splays in respect of the proposed access-point, together with details of the form and construction of the proposed access/parking bays shall be submitted to and approved in writing by the Local Planning authority prior to the commencement of development. The approved scheme shall be implemented prior to first occupation of the dwellings, or as otherwise first agreed in writing by the Local Planning Authority. *Reason: In the interests of highway safety, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
8. The development hereby permitted shall be undertaken by Green Vale Homes, or another Registered Social Landlord (the name of which has first been provided to the Local Planning Authority), and the dwellings first occupied on the basis of the allocation policy that is contained in the stock transfer agreement between Greenvale Homes and Rossendale BC (unless otherwise first agreed in writing by the Local Planning Authority). *Reason : To ensure the proposed dwellings are provided as Affordable Housing, having regard to Policy 12 of the Joint Lancashire Structure Plan and the housing over-supply situation presently prevailing in the Borough.*
9. The development shall be carried out in accordance with the following drawings :

Location Plan	-	received on 29/9/06
Floor Plans/Elevations	-	received on 29/9/06
Site Layout BC1/20	-	received on 29//9/06.

Reason : To ensure the development complies with the approved plans and for the avoidance of doubt.

Contact Officer	
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Position	Senior Planning Officer
Service / Team	Development Control
Telephone	01706-238642
Email address	planning@rossendalebc.gov.uk

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Other (please state)MAJOR

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: -

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APPLICATION DETAILS

1.1 The Proposal and the Site

This application relates to an irregularly-shaped site, of approximately 0.4 ha in area, which fronts Staghills Road. From the high hedge/trees bounding the gardens of the houses to the rear, the site slopes down towards Staghills Road.

To each side of the site, and opposite, are 2-storey residential properties, varying greatly in their facing materials.

Although the site is now grassed, it was occupied until a couple of years ago by Council housing.

Permission is sought by Green Vale Homes to erect upon the site a series of 2-storey buildings. Although to be occupied by apartments the buildings, in terms of their scale, will have the appearance of being a terrace of four houses and three pairs of semi-detached houses.

Whilst the houses which previously occupied the site possessed no off-street parking facilities, the submitted scheme proposes that a vehicular access be formed towards the northern end of the site frontage and then run behind the proposed buildings. The backs of the properties will face towards Staghills Road, and their fronts towards the new access, with communal parking facilities on its far side. The buildings will be constructed of artificial stone, with concrete-tiled roofs.

The applicant is a Registered Social Landlord. They advise that this scheme is being funded by the Housing Corporation and will provide 1 and 2-bedroomed flats for rent allocated on the basis of the allocation policy that is contained in the stock transfer agreement between Greenvale Homes and Rossendale BC.

1.2 Relevant Planning History

None

1.3 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

LCC Parking standards

RBC Housing Position Statement

2. CONSULTATIONS

LCC (Planning) considers that the proposed development will contribute to housing oversupply, contrary to Policy 12 of the Structure Plan. Accordingly, it

advises that the application should be refused unless there is an overriding consideration in support of the proposal.

In respect of other matters it advises that :

- 1) the level of parking provision should not exceed the adopted Parking Standards.
- 2) a contribution of £18,600 should be sought from the developer towards transport improvements.

LCC (Highways) has no objection in principle, but does seek amendment of the site access to ensure it can adequately serve the proposed development and in respect of points of detail in respect of the internal road/parking layout.

3. REPRESENTATIONS

None

4. ASSESSMENT

The main issues to be considered in relation to this application are :

- 1) Principle; 2) Housing Policy; 3) Design and Appearance; 4) Residential Amenity; & 5) Highway Issues.

Principle

The application proposes development of a site located within the Urban Boundary, which is reasonably accessible by means of travel other than the private car. It is therefore considered that the proposal accords with Policies 1 and 2 of the Structure Plan and DS1 of the 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 proposal :

- Does result in additional dwelling units. However, the site was until recently occupied by 12 houses, its topsoiling and seeding with grass by the Council intended as a temporary measure until it could be brought forward for residential redevelopment.
- 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.
- See the first bullet-point above in respect of the "regeneration" credentials of the proposal.
- The proposal undoubtedly meets an identified local housing need, given that 100% of the intended dwellings will be provided/retained in perpetuity as affordable housing.

Thus, the proposal does not fully accord with the criteria of the Housing Position Statement. However, subject to a condition to ensure that the development is undertaken by a Registered Social Landlord and all the units are occupied on the basis of the allocation policy that is contained in the stock transfer agreement between Greenvale Homes and Rossendale BC, I am satisfied that there is a compelling case for permitting the development .

Design and Appearance

I am satisfied that the siting/scale of the buildings being proposed will not detract unacceptably from the street-scene. The backs of the buildings will face towards Staghills Road. Although this arrangement may be thought somewhat

unconventional, I do not consider it unacceptable in this instance as the existing 1m high retaining wall fronting the site and the shrubbery it is topped with is, for the most part, to be retained/reinforced. The buildings themselves are of a design/facing materials which are appropriate.

Residential Amenity

I am satisfied that the proposed development will not detract to an unacceptable extent from the amenities neighbours could reasonably expect. The proposed development accords with the Councils spacing-standards, hedges and trees on party-boundaries with neighbouring properties to be retained.

Highways Issues

I concur with the view of the Highway Authority that there are matters of detail with respect to the proposed access/parking arrangements which the applicant needs to resolve prior to the commencement of any works on the site. Conditions are recommended to secure the necessary amendments.

I do not consider it appropriate to seek from the applicant the financial contribution towards public transport improvements sought by LCC (Planning) as 100% of the dwelling units proposed are for Affordable Housing, requiring Housing Corporation funding, and bus services already run along Stag Hills Road.

6. CONCLUSION

It is considered appropriate in this instance for permission to be granted for the residential development of this particular site subject to the condition to ensure that 100% of the dwelling units are provided as Affordable Housing.

7. RECOMMENDATION

That permission be granted subject to the following conditions :

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.
2. The premises shall only be open for business between the hours of 9:00am and 9:00pm Monday to Saturday and 11:00am and 6:00pm on Sundays and recognised Bank Holidays.
REASON: To protect the amenities of the local area and to accord with the criteria of Policy DC1 of the Rossendale District Local Plan.
3. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels which have first been submitted to and approved in writing by the Local Planning Authority.
REASON: To protect the amenities of the local area and to accord with the criteria of Policy DC1 of the Rossendale District Local Plan.
4. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed

building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

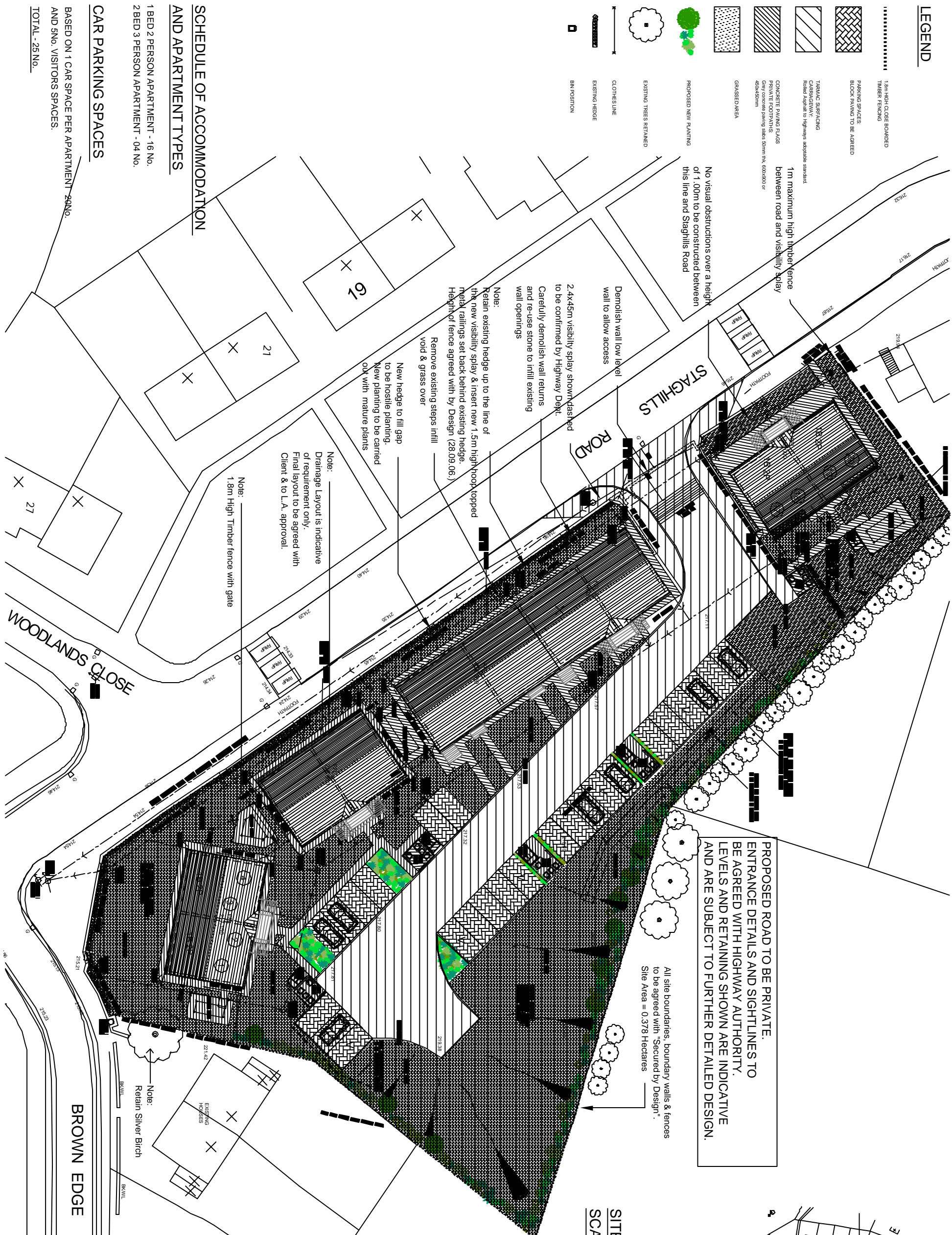
5. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The submitted scheme shall provide details of the protection to be afforded during construction to planting to be retained and of the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. *Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
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7. Notwithstanding the details shown on the submitted drawing, details of the design/visibility splays in respect of the proposed access-point, together with details of the form and construction of the proposed access/parking bays shall be submitted to and approved in writing by the Local Planning authority prior to the commencement of development. The approved scheme shall be implemented prior to first occupation of the dwellings, or as otherwise first agreed in writing by the Local Planning Authority. *Reason: In the interests of highway safety, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
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Housing, having regard to Policy 12 of the Joint Lancashire Structure Plan and the housing over-supply situation presently prevailing in the Borough.

Contact Officer	
Name	Mr N Birtles
Position	Senior Planning Officer
Service / Team	Development Control
Telephone	01706-238642
Email address	planning@rossendalebc.gov.uk

LEGEND

- 1.8m HIGH CLOSE BOARDED TIMBER FENCING
- PARKING SPACES BLOCK PAVING TO BE AGREED
- TERRAZZO SURFACING CARPARK/DECK. Render Asphalt to Highways appropriate standard
- CONCRETE PAVING FLAGS PRIVATE FOOTPATHS. Grey concrete paving slabs 500mm x 600x30mm or 450x450mm
- GRASED AREA
- PROPOSED NEW PLANTING
- EXISTING TREES REMAINED
- CLOTHES LINE
- EXISTING HEDGE
- BN POSITION



PROPOSED ROAD TO BE PRIVATE. ENTRANCE DETAILS AND SIGHTLINES TO BE AGREED WITH HIGHWAY AUTHORITY. LEVELS AND RETAINING SHOWN ARE INDICATIVE AND ARE SUBJECT TO FURTHER DETAILED DESIGN.

All site boundaries, boundary walls & fences to be agreed with "Secured by Design". Site Area = 0.378 Hectares

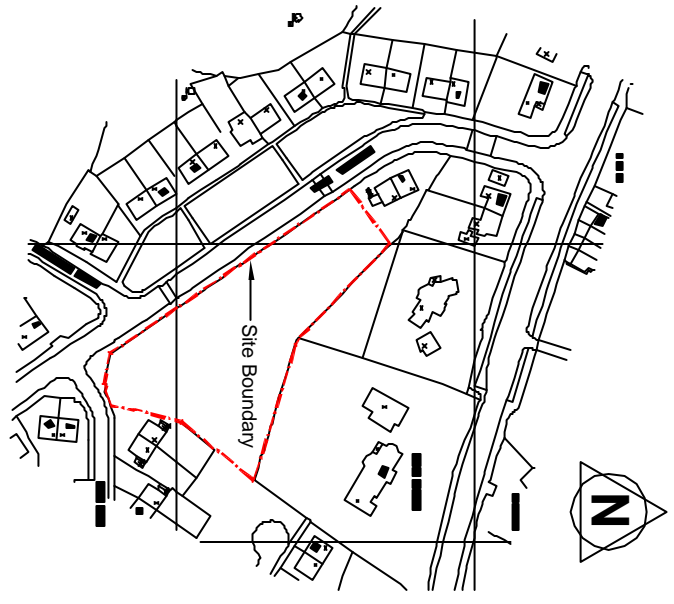
2.4x4.5m visibility splay shown dashed to be confirmed by Highway Dept. Carefully demolish wall returns and re-use stone to infill existing wall openings

Note: Retain existing hedge up to the line of the new visibility splay & insert new 1.5m high roof topped metal railings set back behind existing hedge. Height of fence agreed with by Design (28.09.06). Remove existing steps infill void & grass over

Note: Drainage Layout is indicative of requirement only. Final layout to be agreed with Client & to L.A. approval.

Note: 1.8m High Timber fence with gate

Note: Retain Silver Birch



SITE LOCATION PLAN
SCALE 1: 1250

SCHEDULE OF ACCOMMODATION AND APARTMENT TYPES

- 1 BED 2 PERSON APARTMENT - 16 No.
- 2 BED 3 PERSON APARTMENT - 04 No.

CAR PARKING SPACES

BASED ON 1 CAR SPACE PER APARTMENT 20 No.
AND 5 No. VISITORS SPACES.
TOTAL - 25 No.

REV	DATE	DESCRIPTION	BY
D	20/04	Final site plan submitted for planning purposes	WJ
C	15/03/11	Final site plan submitted for planning purposes	WJ
B	02/03/11	Final site plan submitted for planning purposes	WJ
A	02/03/11	Final site plan submitted for planning purposes	WJ

BRAWALL CONSTRUCTION LTD.
PLANNING DRAWING,
PROPOSED SITE LAYOUT AND LOCATION PLAN.

Date: 15/04/11 Scale: A3 Drawing No: 99/11-007-EX-01 C
 Project: WATSON BATTERY ARCHITECTS LTD 14 TOWN GATE RUSSELL LEES, LEEDS LS20 1AB
 Telephone: 01943 876665 Email: info@watsonbattery.com
 Facsimile: 01943 882300 Internet: www.watsonbattery.com

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