

Application No: 2006/393	Application Type: Reserved Matters
Proposal: Erection of four dwellings	Location: Land off Lees Street, Britannia
Report of: Team Manager Development Control	Status: For Publication
Report to: Development Control Committee	Date: 19 th October 2006
Applicant: Mr N Rowbotham	Determination Expiry Date: 19 September 2006
Agent: Hartley Planning & Development Associates Limited	

REASON FOR REPORTING **Tick Box**

Outside Officer Scheme of Delegation

Member Call-In

Name of Member:
Reason for Call-In:

3 or more objections received **X**

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.

APPLICATION DETAILS

1. The Proposal and the Site

The applicant seeks reserved matters consent for the erection of four dwellings. The only reserved matter to be considered is that of landscaping.

The site is partly located within the urban boundary and partly within the countryside.

2. Relevant Planning History

2006/189 – (Outline) Erection of No. 4 detached dwellings (0.076 Ha) at land off Lees Street, Britannia. APPROVED

3. Policy Context

Rossendale District Local Plan

Policy DS1
Policy DC1
Policy DC4

Joint Lancashire Structure Plan

Policy 1
Policy 2
Policy 12
Parking standards

Other Material Planning Considerations

PPS 1
PPG 3
PPG 13
Housing Policy Position Statement

4. CONSULTATIONS

None required.

5. REPRESENTATIONS

Site notices were posted, and to date two letters have been received, which have raised the following points:

- There are no specific elevations or plans for Plot 1 and therefore, it is difficult to assess the impact upon the neighbouring properties
- There are no proposed levels indicated on the drawing
- The landscaping details are unclear
- Land outside of the urban boundary has not been previously developed and is “greenfield”. Therefore, the development of this land is contrary to policy contained in the Rossendale District Local Plan.
- The use of render and concrete roof materials is inappropriate as all properties within the immediate vicinity are entirely constructed of natural stone and natural slate
- Please ensure that a condition is included to any approval revoking permitted development rights to ensure that no additional windows can be added without the prior approval of the Local Planning Authority
- Plot 1 sits entirely alongside the garden to 370 Rochdale Road and will cause overshadowing throughout the morning, blocking all direct

sunlight from the garden from dawn until approximately 12.00pm, particularly in winter. During summer, all direct sunlight will be taken from the rear of 370 Rochdale Road in the morning.

- The size of the small garden area on each plot is wholly inadequate for the size of each individual property.

6. ASSESSMENT

The main issues to be considered in relation to this application include the principle of the proposed development, neighbour amenity and landscaping:

Principle

The principle for the development of this site has been established by the earlier grant of outline planning permission for residential development. The location for the proposed development is partly within the urban boundary (approximately two thirds of the site) and partly within the countryside (approximately one third of the site). Therefore, it is considered that the proposed development is substantially in accordance with Policy DS1 of the Rossendale District Local Plan.

Design and Appearance

The proposal is considered to be acceptable in design and appearance terms and relates acceptably to the existing pattern of development and spatial relationship with its closest neighbours.

Neighbour Amenity

It is considered that the proposed development will not have a significantly adverse impact upon the amenity of the neighbouring residents. There is a distance of 21 metres to the back yard and 23 metres to the nearest dwelling on Ernest Street. The proposed dwellings will overlook open land to the east of the properties, with the exception of plot 1. Plot 1 has been sited so as to minimise any potential adverse impact upon the occupiers of No. 370 Rochdale Road. The proposed development will overlook a potential neighbouring development of thirteen dwellings. The proposed development will overlook onto the gable elevation of a dwelling and the openings within this elevation relate to either a landing or toilet and will not have a significant adverse impact upon the amenity of the occupiers of either dwelling. Therefore, it is considered that the proposed development will not have a significantly adverse impact upon the amenity of the neighbouring residents and is in accordance with Policy DC1 of the Rossendale District Local Plan.

Traffic/Parking

The proposed development has adequate off-road parking facilities available for each dwelling and it is considered that the proposal is in accordance with the Council's adopted car parking standards. The access to the proposed development is considered to be appropriate and will not have an adverse impact upon highway safety. Therefore, the proposed development will not have an adverse impact upon existing conditions within the locality and is considered to be in accordance with Policy DC1 of the Rossendale District Local Plan.

7. CONCLUSION

The proposed development is located within the Urban Boundary and is not considered likely to unacceptably impact upon the amenities of neighbours, highway safety or any other material planning consideration. Therefore, the proposed development is considered to be in accordance with Policy DS1 and the criteria of Policy DC1 of the Rossendale District Local Plan.

8. RECOMMENDATION

That permission be granted, subject to the following conditions:

1. The development shall be carried out in accordance with the plan received on 10th October 2006.

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

2. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five 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 visual amenity.

3. Before any development commences, a scheme for the improvement of Lees Street, including its junction with Rochdale Road and the length of the application site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented, prior to first occupation of any dwelling on the application site.

REASON: In the interests of highway and pedestrian safety.

NOTES FOR APPLICANT:

All conditions on the Outline consent (2006/189) will need to be complied with.

Contact Officer	
Name	Helen Longworth
Position	Planning Assistant
Service / Team	Development Control
Telephone	01706 217777
Email address	planning@rossendalebc.gov.uk

