

**Application No:** 2006/320 & 322

**Application Type:** Full/Listed Building

**Proposal:** Conversion of Holly Mount House to 15 apartments, erection of 20 apartments in two 3-storey blocks, erection of 18 3-storey town houses, and associated car parking & landscaping

**Location:** Holly Mount, St Mary's Way, Rawtenstall

**Report of:** Development Control Team Manager

**Status:** For Publication

**Report to:** Development Control Committee

**Date:** 10October 2006

**Applicant:** Hurstwood Group Ltd

**Determination Expiry Date:** 7 September 2006

**Agent:**

**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**

Other (please state) .....MAJOR/DEPARTURE

**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**

## **1.1 Introduction**

This report relates to two applications :

Application 2006/320 seeks planning permission to convert Holly Mount House to 15 apartments, together with the construction of 38 new-build units of residential accommodation, and for the associated car parking & landscaping works.

Application 2006/322 seeks listed building consent for the conversion of Holly Mount House to 15 apartments.

## **1.2 The Site**

Holly Mount House is a Grade II listed building, which lies within the boundary of Rawtenstall Town Centre Conservation Area. Dating from the Georgian period, it was constructed by the Whitehead Brothers (owners of the adjacent mill) as three houses. The building occupies an elevated position, its front elevation facing towards St Mary's Way, views of it from this highway broken by the mature trees which have grown in its formal front garden.

Constructed in 1835, there is an architectural unity about the front elevation of this two-storey building, the three houses sitting under the one slated hipped-roof. The front and sides of the building are of ashlar-stone, the rear elevation constructed in a manner intended to appear less imposing/decorative. Attached to the rear elevation is presently to be seen a flat-roofed one-storey extension.

The lawful use of this building is as offices. Works have been undertaken internally. The three original houses are now inter-connected at ground, first-floor and attic level. However, the original room-pattern is still evident and particular rooms retain original features such as fire-surrounds, moulded-plaster cornices, iron-baluster staircases, etc.

At the time of construction of Holly Mount House the land to the rear was laid out as part of its grounds, each of the houses having their own range of outbuildings and a 2-storey coach-house/stables. None of this is now evident. Consequently this area lies beyond the boundary of the Conservation Area. Immediately behind Holly Mount House is now to be seen an expanse of tarmac (used for parking in association with the offices), beyond which is what remains of a warehouse (the Amtrack Building). Beyond this the land rises up towards the housing fronting Haslingden Old Road; this land, though in the applicants ownership, is not included in either application.

Vehicular access to the site is by means of the newly-constructed road that serves the ASDA store which stands immediately to the east.

## **1.2 The Proposal**

Approval is sought to:

- Convert Holly Mount House from office use to 15 apartments. The principal external alterations this will entail are : removal of the relatively modern 1-storey flat roofed extension to the rear and a metal fire-escape to the side; provision in total of 12 dormers to the front and rear. The principal internal alterations are in part to make good alterations to the 3 original houses that were undertaken to facilitate use of the building for office purposes by a single

occupier, but are in part the product of need to further sub-divide rooms and out of a wish to utilize the roof-void more fully.

- Demolish what remains of the Amtrack building to the rear and erect here a curved-terrace of 3-storey town-houses to each side of a central axis, with pairs of 3-storey houses between them and the western boundary of the site and a couple of 3-storey apartment blocks between them and the north-western boundary of the application site.
- The garden to the front of the house would be restored, as too would the flight of steps down to St Mary's Way. Whilst the two apartment blocks would be provided with underground parking, most of the proposed dwellings would rely upon external parking.

In support of the applications the Applicant says that "*the proposal accords with all development plan policies, strategies and statements for Rossendale. In particular it accords with the Area Action Plan for Rawtenstall Town Centre and the Council's Housing Position Statement. This is a brownfield site in arguably one of the most most sustainable locations in Rawtenstall. The proposal represents good design, would not prejudice highway safety and there would be heritage gains....and would provide wider housing opportunity and choice...*".

They argue that :

1. the works to Holly Mount House retain its essential character and are necessary to enable its conversion back to residential use viable;
2. the new buildings to the rear are appropriate in that their formality, proportions and form reflects the Georgian style and architecture of Holly Mount House; &
3. the apartment blocks pick-up on the form of stables/coach-houses that were erected here at the time of construction of Holly Mount itself.

Natural stone and slate will be used to construct the new buildings.

The applicant has also offered to the Council £10,000 towards the provision of CCTV in the town centre and a further £32,000 towards regeneration projects in this area.

### **1.3 Relevant Planning History**

By virtue of Outline Planning Permission 2000/286 and Reserved Matters Approval 2004/592 there will remain a valid permission until 9/5/07 for erection on the land to the rear of Holly Mount House of a building of 1,554 sq m for Class B1 office use.

### **1.4 Policy Context**

Rossendale District Local Plan (Adopted 1995)

DS1

E4

E6

E7

E9/E10

E12

HP1

HP2

DC1

DC2  
DC3  
DC4  
DC6  
J3

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1  
Policy 2  
Policy 7  
Policy 12  
Policy 14  
Policy 17  
Policy 20  
Policy 21

Other Material Planning Considerations

PPS1  
PPG3  
PPG4  
PPS6  
PPG13  
PPG15  
PPG23  
PPG24  
RPG13

Draft RSS  
LCC Parking Standards  
RBC Housing Position Statement (Aug 2005)  
RBC Housing Land Position Monitoring Report (May 2006)  
RBC Housing Needs & Market Assessment 2004/2005  
RBC Emerging Rawtenstall Area Action Plan

**2. CONSULTATIONS**

LCC(Planning) advises that the proposed development is contrary to Policy 12 of the Structure Plan and will contribute unacceptably to housing oversupply. It contests the various points made in the applicants Supporting Statement, most particularly that : Policy 12 cannot be applied to the proposal: and, that the emerging Rawtenstall Area Action Plan provides a means by which additional houses to the allocation of Policy 12 can be provided. In amplification on the latter point it says that *“in light of the situation of oversupply experienced in Rossendale, any such increases would only be supported where they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project....It is for your Council to determine if the proposed development is justified by these reasons”*.

In respect of the heritage interest, it considered the originally submitted scheme would have a significant adverse affect both on the appearance of Holly Mount House as well as its internal arrangement, obscuring both

the original design and ones ability to read how the building originally functioned. Whilst it had no objection in principle to conversion of the building to residential use, as a means of securing its long-term future, the submitted scheme was so unsympathetic as to warrant refusal. The amendments since made by the applicant have not prompted it to change its view on this matter.

It further advises that the scheme appears to propose a level of car parking that does not accord with the adopted Parking Standards (the submission indicates 80 spaces are to be provided when the standards set a maximum of 65 spaces). To address specific transport and accessibility issues it recommends that a contribution of £35,970 be sought.

LCC(Highways) raises no objection to the principle of development.

Ancient Monument Society considers the scheme to seriously damage Holly Mount House, the intensity of the residential development proposed for it and the grounds Unacceptable.

Georgian Group strongly object to the addition of multiple dormers on the roof of Holly Mount House and the internal alterations arising from the number of flats proposed. Likewise, they have serious concerns about the new-built being so close to the listed building and the formality of the 'crescent' formation of buildings.

Garden History Society expresses interest only in ensuring the character and features of the front garden are retained and enhanced.

### **3. REPRESENTATIONS**

Rawtenstall Chamber of Commerce expresses its support for the proposal for the following reasons :

1. This is a highly accessible brownfield site and is within Rawtenstall Town Centre.
2. It will make a positive contribution to town centre regeneration.
3. It returns Holly Mount House back to its original residential use, and will provide a good mix of quality house types, the apartments meeting an identified need in the ward.
4. It welcomes the offer of £10,000 towards the provision of CCTV for the town centre.

Rossendale Civic Society expresses strong objection to the proposal for the following reasons :

Development of the site entirely for residential purposes is objectionable in principle The scheme of internal and external works fails to respect the intrinsic character of this listed building, inappropriate in scale and detail

Letters of objection have been received from the residents of 15 properties in the vicinity of the site, making the following points :

1. Residential development of the site does not accord with the Development Plan, its allocation being for employment purposes.
2. The proposed dwellings will not be affordable by local people.
3. The number of dwellings proposed is large for a site of this size.

4. At 3-storeys, the proposed buildings show a lack of consideration for neighbouring residents and will cause loss of light/privacy/outlook.
5. Mindless destruction of trees by the applicant shortly before submission of the application adversely affected wildlife and means the development will now result in greater detriment for neighbours.
6. Excavation to accommodate the apartment blocks will affect the stability of the land on which their dwellings stand.
7. The provision of dormers and porticoes on the rear of Holly Mount House is not in-keeping with its Georgian design, nor is the design/facing materials of the proposed buildings.
8. Bats are present in the area.
9. Additional traffic.

#### **4. ASSESSMENT**

In dealing with this application the main issues to consider are :

- 1) principle of the development
- 2) housing policy
- 3) heritage interest/townscape impact
- 4) residential amenity
- 5) highway/transport issues

##### Principle

The part of the application site occupied by Holly Mount House, and the garden to the front of it, lie within the Town Centre Boundary for Rawtenstall (as defined in the adopted Local Plan), with the land just outside. Furthermore, the site is not unduly inaccessible by means of travel other than the private car. To this extent the re-development of the site is appropriate in principle and I do not consider a financial contribution need be sought to improve bus services/facilities.

That Holly Mount House is a Listed Building, and it and its front garden lie within the Rawtenstall Town Centre Conservation Area, makes consideration of the proposal in terms of its impact on the heritage interest a particularly important issue.

##### Housing Policy

The main 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.

In the supporting statement following Policy 12 of the Structure Plan it states that :  
*“Where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project”.*

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.”* Nor has the Draft Regional Spatial Strategy progressed to the stage that its contents can have greater weight than Policy 12 of the adopted Structure Plan and the Regional Guidance it was founded upon.

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

The application proposal :

- Does result in an increase in number of dwellings on the site - proposing 53 units of residential accommodation.
- Does lie within the boundary of the emerging Rawtenstall Town Centre AAP.
- Whether the proposal will cause harm to the character of a Listed Building / Conservation Area will be dealt with in the section below entitled Heritage Interest.
- The “regeneration” credentials of the proposal will be dealt with separately below.
- The Applicant has not shown how the provision of these additional dwellings meets an identified local housing need. Nor has the applicant expressed a willingness to provide any of the dwellings proposed for the site as affordable or

special needs housing (as defined in PPG3 and as referred to in the supporting text to Policy 12 of the Structure Plan).

Thus, the proposal is contrary to certain of the criteria of the Housing Position Statement. Nevertheless, it is considered appropriate to consider whether the “regeneration” credentials of the proposal warrant permission being granted in this instance as an exception to Policy 12 of the Structure Plan and the Council’s own Housing Position Statement. I say this as the supporting text which follows Policy 12 of the Structure Plan reads as follows : *“Where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project”*.

**Affordable/Special Needs Housing :**

The Council’s own Housing Market Needs Assessment shows that there exists and will remain a significant need within the borough over the coming 4 years for Affordable Housing and Special Needs Housing (as defined in PPG3 & Circular 6/98), which the private-sector will not of its own volition meet, nor the Housing Corporation or Registered Social Landlords be able to fund. As indicated above the applicant has indicated that they are not willing to provide an element of such housing on their site. They have offered to the Council a sum of £32,000 for regeneration projects within the town centre, indicating that it could be used to such effect. I do not consider this offer, by reason of its scale or form, to constitute the *essential contribution to the supply of affordable or special needs housing referred to in the supporting text to Policy 12*.

**Mixed Use Regeneration Project :**

The application site does not detract to a degree from the view the public have of it from St Mary’s Way or from any other public vantage point. However, the part of the site to the rear of Holly Mount House does detract to a greater extent from the view to be had of it from the adjacent ASDA car park and in terms of the outlook from the backs of surrounding houses. The applicant proposes no other use on the site than residential development.

The applicant argues that this proposal should be looked upon as a mixed use regeneration project for a number of reasons :

- the application site should be looked upon as part of a larger site, the other part occupied by ASDA;
- this scheme forms part of the wider project of regeneration the emerging Rawtenstall Town Centre AAP is seeking to promote.

**Heritage Interest/Townscape Impact**

In accordance with national policy, Policy HP1 and HP2 of the adopted Local Plan seek to protect listed buildings and conservation areas from development harmful to their character.

It is appropriate to consider the applications for compliance with these policies and also in respect of the extent to which compliance with them helps make the case for permitting the scheme as an exception to Policy 12 of the Structure Plan by reason of its ‘regeneration’ credentials.



The works proposed for Holly Mount House initially drew objections from a number of national and more local bodies with a special interest/knowledge in heritage matters. I concurred with their objections to the profusion of dormers initially proposed, the prominence of door-surrounds proposed on the rear building, sub-division of the central hall-ways and lack of detail about internal features of interest such as fireplaces, friezes, etc. Amendments have been obtained which address to a degree these concerns; the number of dormers is reduced, the door-surrounds proposed on the rear building not now to be so prominent and the sub-division of the central hall-ways not now to occur. There remain objections to the proposal from these conservation bodies at aspects of the works proposed (most particularly the addition of the dormers on the Front elevation). However, I do not now have the same objection to this aspect of the scheme, although conditions to more precisely define the works will be required.

The scale and formality of the new-built element has also drawn objection. Given the extant permission for erection of a modern office development here there is no objection in principle to any development. Whether the development proposed should be have the formality of the scheme proposed or be of more informal 'mews-style' is to a degree a matter of taste.

#### Neighbour Amenity

The proposed buildings, individually and collectively, are far from small. However, I have obtained a reduction in the height of the proposed apartment blocks and am now satisfied that no residents will experience an unacceptable loss of amenity by reason of loss of light/privacy/outlook. However, I consider it appropriate to require proper landscaping of the land immediately to the north-east of the application site.

#### Highways/Traffic Issues

The Highway Authority is satisfied the proposed development will not add so greatly to traffic on the local highway network/using the access shared with ASDA (as now existing and as would result from implementation of the extant permission for office development) that refusal of the application on highway grounds would be warranted.

## **6. CONCLUSION**

Having regard to the above, I consider it appropriate to recommend that planning permission and listed building consent be granted for the submitted scheme, in the case of the former as an exception to Policy 12 of the Structure Plan, subject to a S.106 and Conditions to deal with the financial contributions offered by the applicant and ensure the development of the site proceeds in a satisfactory form. Committee is requested to delegate authority to officers to formulate the wording of the their precise contents.

I would hope to be in a position to report upon the full wording of conditions on the Late Items Report, following further discussions with consultees and the applicant.

The nature and scale of the development is such that, if Committee is minded to grant a permission, before issuing the decision it will first be necessary for the application to be referred to the Government Office for the North West as a Departure in order that it may consider whether it wishes to call-in the application for its own decision.

## 7. RECOMMENDATION

- 7.1 That the Committee be minded to grant outline permission subject first to referral of the application to the Government Office for the North West and to the satisfactory completion of a Section 106 agreement and the conditions listed below.
- 7.2 It is requested that authority be delegated to officers to refuse the application if the legal agreement has not been completed within 6 calendar months from the date of decision.

### List of Conditions

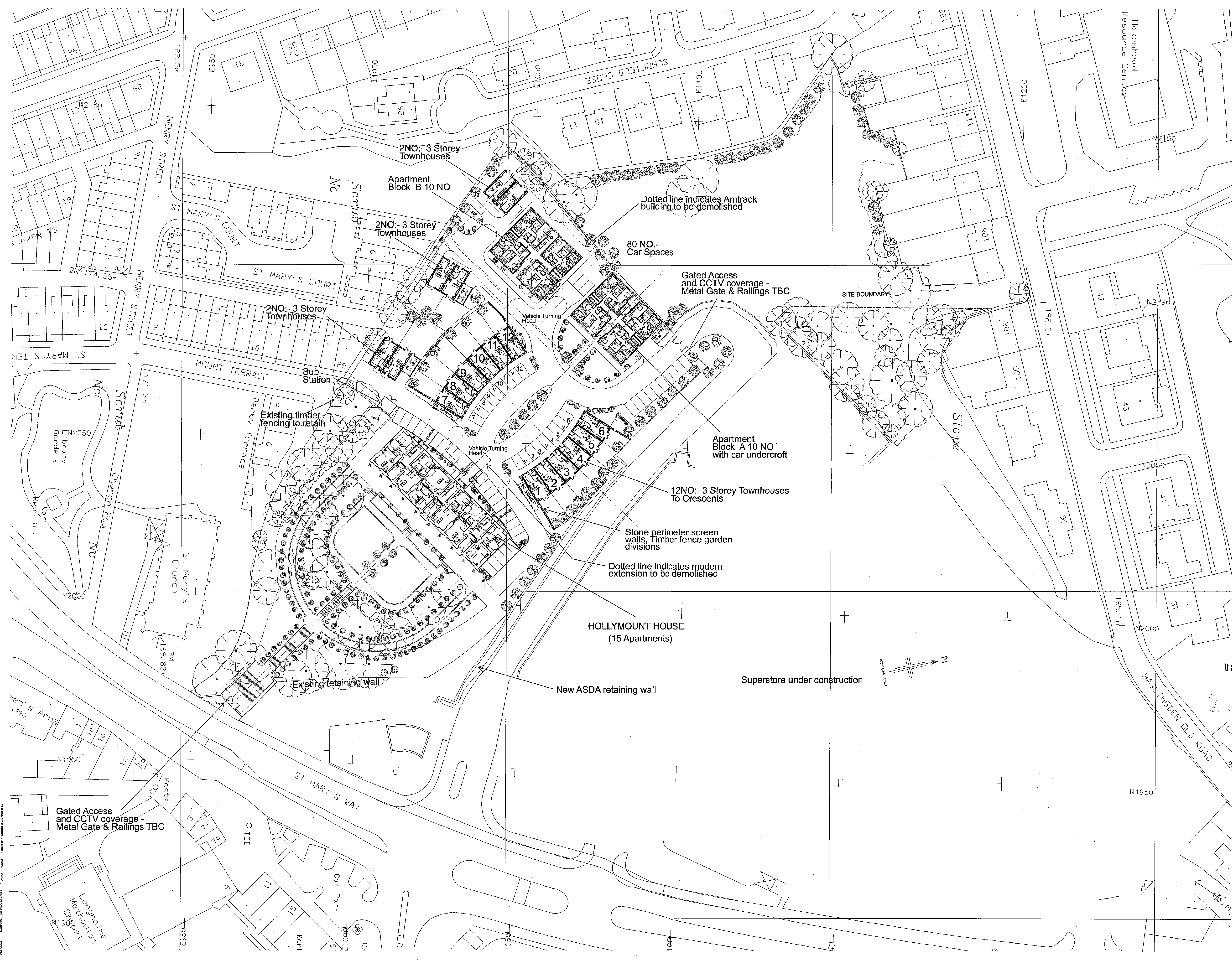
1. Time limit
2. Approved Plans
3. Contaminated Land
4. Recording
5. Materials
6. Highway/Parking Matters
7. Drainage

<b>Contact Officer</b>	
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**SITE SPECIFIC HAZARDS**

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONSTRUCTION PHASE THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN IDENTIFIED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING.



08 JUL 2006

2006/0320

H	050506	Townhouses added	WNH
G	250506	General Update	WNH
F	250506	Landscape Slips Amended	WNH
E	220506	Highway details amended	RSL
D	220506	GENERAL UPDATE	RSL
A	080506	GENERAL UPDATE	RSL

REV	DATE	NOTES	INT.
1	08 JUL 2006	ISSUED FOR PERMITTING	

PROJECT  
**HOLLY MOUNT HOUSE**  
**ST. MARY'S WAY**  
**RAWTENSTALL**

DRAWING TITLE  
**SITE PLAN**

STATUS				PLANNING			
DATE	DRAWN	CHECK	SCALE @A1	DATE	DRAWN	CHECK	SCALE @A1
MAY '06	RSL		1:500				

PROJECT NUMBER	UNIT	FILE/LOCK	CI/SIS CODE	TYPE & NUMBER	REVISION LETTER
7030				L03	H

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